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The House of Burgeffes
of Virginia



House of Representatives

of the

State of California

Assembly

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JOURNALS
of the
HOUSE of BURGESSES
of
VIRGINIA

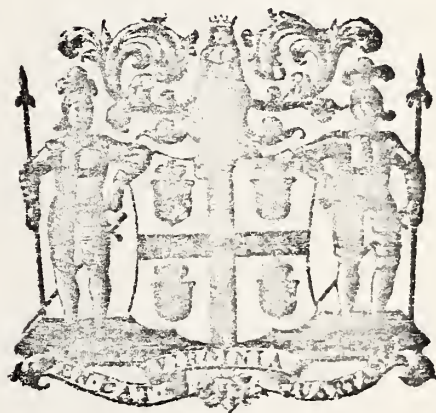
1712-1714, 1715, 1718

1720-1722, 1723-1726

v. 5

Edited by

H. R. McILWAINE



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Burgeffes for the Affembly

of 1712-1714.

Accomack:	Tully Robinfon	New Kent:	Nicholas Meriwether
	Richard Drummond		John Stanup
Charles City:	Samuel Harwood	Norfolk:	George Newton
	Littlebury Epes		Wm. Crawford
Elizabeth City:	Wm. Armistead	Northampton:	Wm. Waters
	Nicholas Curle		Chas. Floyd
Effex:	Francis Gouldman	Northumberland:	Richard Neal
	Francis Meriwether		Chriftopher Neal
Gloucefter:	Peter Beverley	Princcfs Anne:	Maximilian Boufh
	Mordicai Cook		Thomas Walk
Henrico:	John Bolling	Prince George:	Edward Goodridge
	Francis Epes, Jr.		John Hamblin
Ifle of Wight:	Joseph Godwin	Richmond:	Wm. Robinfon
	Wm. Bridger		Wm. Thornton
James City:	George Marable	Stafford:	John Waugh
	Henry Soane, Jr.		Henry Fitzhugh
James City (town):	Edward Jacquelin	Surry:	John Simons
King and Queen:	John Holloway		Wm. Grey, Jr.
	Wm. Bird	Warwick:	Wm. Harwood
King William:	Henry Fox		Wm. Cary
	John Waller	Westmoreland:	Willoughby Allerton
Lancafter:	Wm. Ball		George Eskridge
	Edwin Conway	York:	Wm. Buckner
Middlefex:	Chriftopher Robinfon		Wm. Barber
	John Robinfon		
Nanfemond:	Thomas Godwin		
	Wm. Wright		

¹ Nicholas Curle died fome time before the opening of the third felfion (77), and was fucceeded by Robert Armistead (*Stanard's "Colonial Virginia Register,"* p. 100).

² Francis Meriwether died before the opening of the fecond felfion (45), and was fucceeded by John Hawkins (97).

³ Henry Fox died fome time before the opening of the third felfion (77), and was fucceeded by Orlando Jones (92).

⁴ William Cary died before the opening of the fecond felfion (77), and was fucceeded by Miles Wills (*Stanard's "Colonial Virginia Register,"* p. 100).

Burgeffes for the Affsembly of 1715.

Accomack:	Tully Robinfon	New Kent:	Nicholas Meriwether
	Richard Drumond		John Stanop
Charles City:	Joseph Harwood	Norfolk:	Wm. Langley
	Valentine Minge		Wm. Crafford
Elizabeth City:	Wm. Armistead	Northampton:	John Harmanfon
	Henry Jenkins		Charles Floyd
Effex:	John Hawkins	Northumberland:	Peter Presley
	Wm. Young		Chriftopher Neal
Gloucefter:	John Buckner	Princcfs Anne:	Maximilian Boufh
	Thomas Buckner		Horatio Woodhoufe
Henrico:	Richard Cocke	Prince George:	Edward Goodrich
	Wm. Randolph		Robert Hall
Ifle of Wight:	Arthur Smith	Richmond:	William Woodbridge
	Anthony Holliday		Thomas Griffin
James City:	George Marable	Stafford:	George Mafon
	Wm. Broadnax		George Anderfon
James Town:	John Clayton	Surry:	Henry Harrifon
King & Queen:	William Bird		Samuel Thompfon
	Gawin Corbin	Warwick:	William Cole
King William:	Orlando Jones		Cole Diggs
	Thomas Johnfon	Westmoreland:	Henry Afhton
Lancafter:	Edwin Conway		Daniel McCarty
	James Ball	York:	James Burwell
Middlefex:	Edward Hamerton		William Barbar
	William Blackburn	William & Mary	
Nanfemond:	John Lear	College:	Peter Beverley
	James Reddicke		

¹ This name is given on the authority of *Stanard's "Colonial Virginia Register,"* p. 101.

² Ten days after the opening of the feffion, however, it was decided that William and Mary College, not having yet been turned over by the trustees to the president and masters, was not entitled to representation. Mr. Beverley, therefore, had to retire from the Houfe.

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Burgeffes for the Affsembly of 1718.

Accomack:	Tully Robinfon Solomon Ewele	New Kent:	Nicholas Merrywether John Stanup
Charles City:	John Stith Francis Hardyman	Norfolk:	William Crafford Willis Wilfon
Elizabeth City	Henry Jenkins Thomas Wyth	Northampton:	Wm. Waters Chas. Floyd
Effex:	John Hawkins Wm. Daingerfield	Northumberland:	Peter Prefley Chriftopher Neal
Gloucefter:	Henry Willis Thomas Buckner	Princes Anne:	Maximilian Boufh Horatio Woodhouse
Henrico:	Wm. Randolph John Bolling	Prince George:	Edward Goodrich Robert Hall
Ille of Wight:	Wm. Bridger Arthur Smith	Richmond:	William Woodbridge Thomas Griffin
James City:	Wm. Broadnax George Marrable	Stafford:	George Mafon George Fitzhugh
James Town:	Archibald Blair	Surry:	Henry Harrifon Samuel Thompson
King & Queen:	John Baylor George Braxton	Warwick:	William Cole Cole Diggs
King William:	Thomas Johnfon Orlando Jones	Westmoreland:	Daniel McCarty George Efcridge
Lancafter:	Edwin Conway James Ball	York:	Wm. Barbar James Burwells
Middlefex:	Gawin Corbin John Grymes	William & Mary College:	John Cuftis
Nanfemond	John Lear James Reddick		

1, 2, 3, 4 The names given for Gloucefter, Henrico, Prince George, and Stafford are taken from *Stanard's "Colonial Virginia Register,"* pp. 101, 102.

5 James Burwell died before the opening of the fecond feffion (p. 221), and was fucceeded by Lawrence Smith (p. 232).

X Burgeffes for the Assembly

of 1720-1722.

Accomack:	John Teackle ¹	Nansemond:	John Lear
	Solomon Ewel		James Reddick
Charles City:	John Stith	New Kent: ²	Nicholas Meriwether
	Samuel Harwood, Jr.		John Stanup
Elizabeth City:	James Rickets	Norfolk:	Willis Wilfon
	Anthony Armistead ³		Wm. Crafford
Effex:	John Hawkins	Northampton:	Wm. Waters ⁴
	Richard Covington		George Hermanfon
Gloucester:	Henry Willis	Northumberland:	Peter Prefly
	Nathaniel Burwell ⁵		Peter Hack
Hanover: ⁶	Nicholas Meriwether	Princes Anne:	Maximilian Boufh
	John Syme		Anthony Walke
Henrico:	Wm. Randolph	Prince George:	Edward Goodrich ⁷
	Thomas Randolph		Robert Mumford
Isle of Wight:	Wm. Bridger	Richmond:	Wm. Woodbridge
	Arthur Smith		Charles Barber ⁸
James City:	Archibald Blair	Stafford:	George Mafon
	John Clayton		Wm. Robinson
James Town:	William Broadnax	Surry:	Henry Harrison
King & Queen:	George Braxton		John Simmons
	Robert Beverley ⁹	Warwick:	Wm. Cole
King George: ¹⁰	Nicholas Smith		James Roscow ¹¹
	Wm. Thornton	Westmoreland:	George Eskridge
King William:	John Waller		Thomas Lee ¹²
	Thomas Johnson	York:	John Holloway
Lancaster:	Wm. Ball		Lawrence Smith
	James Ball	William & Mary	
Middlesex:	John Grymes	College:	Thomas Jones
	Gawin Corbin		

¹ John Teackle, dying before the opening of the second session (321), was succeeded by Tully Robinson (*Stanard's "Colonial Virginia Register,"* p. 104).

² Anthony Armistead, on contest, was declared not duly elected (270), but at a second election he was again returned, this time taking his seat (287).

³ Nathaniel Burwell died before the opening of the second session (321). He was succeeded by Giles Cook (342). The name is given on p. 342 as "Cock," but should be Cook (see pp. 343, 346).

⁴ Hanover county was established by an act passed at the first session of this Assembly. Representatives from the county appeared at the second session.

⁵ Robert Beverley died before the opening of the second session (321), being succeeded by Richard Johnson (342).

⁶ King George county was erected by a law passed at the first session of this Assembly, its representatives appearing for the first time at the second session.

⁷ During the first session of the Assembly New Kent was represented by the gentlemen whose names appear in the list given above. John Stanup (Stanhope) died before the opening of the second session, and Nicholas Meriwether had been elected a member of the House for the new county of Hanover, which had been formed from New Kent. It was therefore necessary to order a new election in New Kent. This resulted in the return of John Thornton and Thomas Maffey (342).

⁸ William Waters, dying before the opening of the second session (321), was succeeded by Thomas Harmanfon (342).

⁹ Edward Goodrich died before taking his seat as a member (253). He was succeeded by John Hamlin (269).

¹⁰ This name is given on page 258 as "Carles Barker." That it should be Charles Barber is apparent, however, from page 261 and following pages.

¹¹ James Roscow took the place of Cole Diggs, who after his election as a member for this Assembly was appointed one of the Council (257). Mr. Roscow died before the opening of the second session (321), and was succeeded by Nathaniel Hoggard (342).

¹² Thomas Lee, on contest, was defeated, Mr. Daniel McCarty being declared by the House to have been elected (294-5).

Burgeſſes for the Aſſembly of 1723-1726.

Accomack:	Tully Robinſon ¹ Edmund Scarburgh	Nanſemond:	Thomas Godwin Henry Baker
Charles City:	Samuel Harwood John Stith	New Kent:	John Thorton Thomas Maſſie
Elizabeth City:	James Ricketts ² Thomas Wythe	Norfolk:	Wm. Crafford George Newton
Effex:	Robt. Jones Wm. Dangerfield	Northampton:	George Harmanſon Thomas Harmanſon ⁴
Glouceſter:	Giles Cook Henry Willis	Northumberland:	Peter Prefley George Ball
Hanover:	Nicholas Merriwether Richard Harris	Princeſs Anne:	Henry Spratt Maximilian Bouſh
Henrico:	Wm. Randolph John Bolling	Prince George:	Robert Bolling John Poythres
Iſle of Wight:	Henry Applewhaite Joſeph Godwin	Richmond:	Charles Barber Thomas Griffin
James City:	Archibald Blair John Clayton	Spotſylvania:	Larkin Chew Francis Thorton
James Town:	Wm. Broadnax	Stafford:	George Maſon William Robinſon
King & Queen:	Richard Johnſon George Braxton	Surry:	Wm. Gray Henry Harriſon
King George:	Nicholas Smith William Thornton	Warwick:	William Cole William Roſcow
King William:	Wm. Aylett John Childs ³	Westmoreland:	George Eſcridge Daniel McCarty ⁵
Lancaſter:	Edwin Conway Wm. Ball	York:	Lawrence Smith Edward Tabb
Middleſex:	Mathew Kemp Edwin Thacker	Williamsburg:	John Holloway

¹ Tully Robinſon died before the opening of the ſecond ſeſſion (401), and was ſucceeded by Henry Scarburgh (*Stanard's "Colonial Virginia Register,"* p. 105).

² James Ricketts died before the opening of the ſecond ſeſſion (401), and was ſucceeded by Robert Armistead (*Stanard's "Colonial Virginia Register,"* p. 106).

³ John Childs died before he took his ſeat as a member (362). He was ſucceeded by Philip Whitehead (379; *Stanard's "Colonial Virginia Register,"* p. 106).

⁴ Thomas Harmanſon, dying before the opening of the ſecond ſeſſion (401), was ſucceeded by Thomas Maſhall (*Stanard's "Colonial Virginia Register,"* p. 106).

⁵ Daniel McCarty died before the opening of the ſecond ſeſſion (401). He was ſucceeded by Thomas Lee (p. 421; *Stanard's "Colonial Virginia Register,"* p. 106).



Introductory Note.

IN this volume are found the Journals of the House of Burgesses for the Assembly of 1712-14 (three sessions), of 1715 (one session), of 1718 (two sessions), of 1720-22 (two sessions), and of 1723-26 (two sessions)—ten sessions altogether. The text of all the Journals has been obtained from transcripts of the manuscript copies in the *English* Public Record Office, *London*, there being, so far as have come to light, no originals or copies in *America*. None of the Journals contained in this volume has ever been printed before, the present edition of the Journals of the House of Burgesses becoming, accordingly, a first edition throughout, as it will continue to be for all the Journals to be printed back to the year 1680. The volume of the series immediately preceding this one (containing the Journals for the sessions held from 1727 to 1740), was, as was stated in the "Introductory Note" prefixed to the volume, partly a first and partly a second edition, since the contemporary printing of the Journals was begun only in 1732.

While the earlier of the original printed volumes have been followed in the general style of printing, it has been found necessary, in the effort to reproduce the manuscripts as exactly as possible, to make use of many abbreviations, some of which are indicated by characters not found in former volumes. These characters are:

̄,	indicating ti; men̄oned stands for mentioned.
̄,	lemen; gent̄ stands for gentlemen.
̄,	mm; sum̄on stands for summon.
̄,	pre; p̄vent stands for prevent.
q̄,	que; annoq̄ stands for annoque.

XV

Preface.

Historical Setting.

THE period 1712-26 embraces the later years of the reign of Queen Anne and practically the whole of the reign of George I. The beginning of the period is signalized by the signing of the treaty of *Utrecht* (1713), at the close of a series of secret negotiations between *France* and *England* highly dishonorable to the latter on account of her desertion of the allies with whom she had fought one of the great wars of history—the war of the *Spanish* Succession—in which the great *Marlborough* had won his glory, and to bring an end to which it was necessary for the Tory ministry, which had the support of the House of Commons and of Queen Anne, to overcome the Whig majority in the House of Lords by the creation of twelve Tory peers (1712), upon which followed the dismissal of *Marlborough* from his command, his condemnation by the House of Commons as guilty of peculation, and his temporary withdrawal from *England*. With the triumph of the Tory party in this great struggle the seat of power in *English* governmental matters was marked as being in the House of Commons, where it has since remained.

The terms of the treaty of *Utrecht* (or, to be more accurate, the two treaties, for separate treaties were signed with *France* and *Spain*, the treaty with the latter being known as the *Asiento* Treaty) were highly favorable to *England*. She kept possession of *Minorca* and *Gibraltar*, *Hudson's Bay* Territory, *Acadia*, *Newfoundland*, and the *French* part of *Saint Christopher*. In addition, she secured the dismantling of *Dunkirk*, the recognition by *Louis XIV* of the right of Anne to the throne of *England*, with his recognition of the Protestant succession, and, what was considered of prime importance, the monopoly of the *Spanish-American* slave trade for thirty years and the right to send each year to the fairs of *Porto Bello* and *Vera Cruz* one ship of 500 tons laden with manufactured goods. These privileges were handed over by the *English* government to the *Royal African Company* and the *South Sea Company*, and there ensued the period of wild speculation, especially in the stock of the *South Sea Company* but also in the stocks of companies formed to conduct all kinds of impossible enterprises, which came to a ruinous close in 1720, the crash bringing about the overthrow of *Stanhope's* dishonored ministry, several of whom had, it was discovered, received bribes from the *South Sea Company*, and the advancement to the head of the government of Sir *Robert Walpole*. *Walpole* had some years before worked his way up to a leading position in the Whig ministry, but had resigned in 1717. Returning to office in 1720 in a minor position, he had been one of the few *Englishmen* to warn his countrymen against the speculative mania at that time at its height, and in consequence he was, when the reaction came, looked to as the only one in public life able to cope with the situation. His genius succeeded in a short time in restoring private confidence and in putting in order the finances of the country, and he became secure in the longest tenure of office enjoyed by any *English* minister since the days of *Elizabeth*, giving the people an administration most beneficial, though his methods were not always praiseworthy nor his character in all things above reproach.

Very soon after the *Asiento* Treaty went into effect, smuggling of both slaves and goods into *Spanish-American* territory began. The *Spanish* government's revenue service used boats called *guarda-costas* which became the object of the hatred of all good *Englishmen*, both in the mother country and in the colonies, and insisted on the right to search all vessels coming close to the shores of the *Spanish* colonies, frequently in practice, indeed, searching, as was claimed by *English* masters of ships, those far beyond the limit of *Spain's* rightful jurisdiction, and being guilty of many acts of cruelty, which were, no doubt, equalled on occasions by the high-handed acts of the smugglers, and fur-

passed by those of the smugglers' brethren the pirates who infested the coasts. This situation was bound in course of time to lead to war between *England* and *Spain*. The war came toward the close of *Walpole's* career as prime minister, *Walpole* being forced into it by the clamors of the *English* people. This war, however, was waged more than a decade after the close of the period now under consideration.†

But in this period itself there was a war with *Spain*, brought about by the endeavors of Cardinal *Alberoni*, the *Spanish* minister, to secure again for the *Spanish* crown the *Italian* possessions given up according to the terms of the treaty of *Utrecht*. Bringing *Charles XII* of *Sweden* (enraged at the cession to *Hanover* by the King of *Denmark* of some *Swedish* territory that had been seized when *Charles* was absent in *Turkey*) to promise to make an attack on *Hanover* and to endeavor to restore the *Stuarts* to the throne of *England*, he reduced *Sardinia* and attacked *Sicily*. *England*, *France*, *Holland*, and *Austria* combining against him, however, he was finally compelled to give up the contest, being dismissed from office in 1719. *England's* share in the fighting was had mainly in 1718, when an engagement between the *Spanish* and *English* fleets, which took place in the Straits of *Messina*, resulted in the destruction of the former. *Alberoni's* attempted revenge in the shape of an expedition under the duke of *Ormond* to revive the Jacobite rising in *Scotland* miscarried. In *December*, 1718, the same year in which the fight in the Straits of *Messina* took place, *Charles XII* was killed at the siege of *Fredrickshall* in *Norway*, before he could carry into execution his designs against *Hanover* and *England*. Since in the execution of these designs he had obtained the promise of the help of *Peter* the Great, the bullet that ended his strange career should not be cursed by the *English* people.

The events which occurred in *England* itself in this period, in addition to those already noted, were exciting and most important. The Tory ministry which concluded the treaty of *Utrecht* in 1713 was in power when Queen *Anne* was on her death bed in 1714, and some of its members, notably *Bolingbroke* and *Oxford*, formed the design of securing the succession to the throne to the Old Pretender, as the son of *James II* was called, instead of to *George*, the elector of *Hanover*, to whom it was to go in accordance with the Act of Settlement, and for a time civil war seemed imminent. The bold and decisive action of two Whig lords, however, the dukes of *Argyle* and *Somerset*, in entering the Privy Council, unsummoned, on the news that the queen had been stricken with apoplexy, and securing the nomination of the duke of *Shrewsbury*, a Tory but not a Jacobite, as Lord Treasurer, and his acceptance by the dying queen, to rule *England* till the new king should be proclaimed, secured the throne to *George I*. With *George I* the Whigs, representatives of the principles of the Revolution of 1688, of constitutional liberty, and religious toleration, came into political power, retaining it for many years, the Jacobite plot of the Tory ministry of the last days of Queen *Anne* having loaded that party with a suspicion hard to remove. The inevitable uprising in *Scotland* and the north of *England* in favor of the Old Pretender under the earl of *Mar* and later under the Pretender himself, both incapable leaders, in 1715, the year that *George I* came to *England*, failed dismally, as did the plot in which *Francis Atterbury*, bishop of *Rocheſter*, seems to have been engaged for the restoration of the *Stuarts* in 1722.

Assembly of 1712-1714.

First Session.

OF the Assembly of 1712-1714 there were three sessions, the first lasting from *October 22, 1712*, through *November 29*, the second from *November 5, 1713*, through *December 12*, and the third from *November 16, 1714*, through *December 24*. This was the second Assembly of Lieutenant-Governor *Alexander Spotswood's* administration, the first having been dissolved by *Spotswood* on the 31st of *January 1711* (old style), because of his inability to induce the majority of the members of the House of Burgesses to agree with him as to the method of payment of certain public claims and as to the best policy to adopt with reference to the *Tuscarora* Indians. The public claims were in the main incidental to the great war between *England* and *France* that at the time of the first session of *Spotswood's* second Assembly was happily drawing to a close. The necessity for an Indian policy arose from the fearful massacre in *North Carolina* committed on *Sept. 22, 1711*, by Indians, among whom were many *Tuscaroras*, a powerful tribe of northern origin occupying territory beginning in *Virginia* and extending nearly to the *Neuse* River. Not all their towns, however, had been implicated, at any rate overtly, and the question was whether war should be made on the whole tribe or merely on those guilty of the crime. The House of Burgesses declared itself in favor of war with the whole; *Spotswood* opposed this, since he did not think the Colony strong enough to undertake such an extensive war, and he hoped by means of a treaty entered into with eight towns of the *Tuscaroras* to gain their assistance in punishing those engaged in the massacre. In the interval between the dissolution of the first Assembly (*Jan. 31, 1711-12*) and the first meeting of the second (*Oct. 22, 1712*) much fighting had taken place in *North Carolina*, mainly in the regions lying about the *Pamlico* and *Neuse* rivers, between the neighboring Indians and the colonists, assisted by forces from *South Carolina*, largely made up of friendly Indians. But a truce had now been entered into between the warring parties, so that Governor *Spotswood* in his opening address did not find it necessary to refer at all to affairs in *North Carolina*, but confined himself to the public debts of *Virginia*, stating that it was to discharge these that the Assembly had been called together.

His speech was not only brief and direct, as became the utterances of a foldier, but also even appeared, when all the circumstances are taken into consideration, to have too much of the tone which might be expected to be assumed by a man who after the election of the members of the House to whom he was now addressing himself, but several days before the beginning of the session, had in a letter to the Board of Trade, dated *October 15*, expressed himself in the following uncomplimentary manner in reference to them: "...for the Mob of this Country, having tried their Strength in the late Election and finding themselves able to carry whom they please, have generally chosen representatives of their own Class, who as their principal Recommendation have declared their resolution to raise no Tax on the people, let the occasion be what it will. This is owing to a defect in the Constitution, which allows to everyone, tho' but just out of the Condition of a Serv't, and that can but purchase half an acre of Land, an equal Vote with the Man of the best Estate in the Country." The address drawn up by the Burgesses in reply to the address of the governor was as devoid of complimentary embroidery as was the governor's own. It was even briefer and more direct, consisting of only two short paragraphs, which say that all just debts due from the country should be paid. Their very brevity forces the implication that the House desired the governor to understand that the payment of none others would be for an instant considered. The governor and his Burgesses seemed thus to be pitted against each other as they were in the closing days of the former Assembly. Fortunately,

¹ Official Letters of Alexander Spotswood, II, 11, 1, 2.

however, appearances proved rather deceptive. In fact, the governor was learning—though he did not always even after this make use of his knowledge—the management of democratic assemblies, and the members of the House of Burgesses proved themselves to possess far more of that spirit of compromise necessary in all legislative bodies and far greater breadth of view than the governor had in his letter to the Board of Trade assigned them, it being doubtful whether in these qualities many of them did not equal the governor himself. Hence the results of the session were in the main satisfactory to both parties.

At least one thing the governor seems to have learned, which was, that people who had lived long in the Colony, most of them, in fact, having been born there, were as likely as himself, even if not more likely, to have a competent knowledge of the nature of Indians and of the best manner of dealing with them; for it was not very long after he made the treaty with the upper *Tuscaroras* in *December, 1711*, the provisions of which they neglected from the start, that a delegation came to him from them to repudiate the treaty altogether. Hence at this session he was apparently much more disposed than formerly to advise with the Burgesses as to Indian affairs. This is seen in the message he sent the Burgesses on the first of *November* asking what they thought ought to be done with certain *Tuscaroras* of the upper towns who had been captured within the bounds of *Virginia* by the tributary Indians and the rangers. After due consideration of the matter in all its phases,² the Burgesses advised that the Indians be turned over to the government of *North Carolina*. This transaction was a very unusual one, in that in it the House performed the functions of advisers as a general thing performed only by the Council.

On the day of the opening there were present forty-nine members, only two less than the full membership of the House. At that time there were in *Virginia* only twenty-five counties, represented in the House by two members each, and one town or city (*James City*, now shrunk to a "rotten borough"), represented by one member. Neither *Williamsburg* nor *William and Mary College* was yet represented.

Mr *Peter Beverley*, speaker of the former House, was chosen again to the speakership. The clerk of the House, Mr *Robert Buckner*, was appointed by the governor. Another officer at this time appointed by the governor was the messenger, whose duties seem to have corresponded closely with those of the later sergeant-at-arms. In addition to these three officers, the House had at this time four doorkeepers, a clerk to the committee for propositions and grievances (the busiest standing committee of the House), one clerk for the committee of elections and privileges and committee for public claims (the two other standing committees), and a chaplain—all elected by the House.

The chaplain of the House for this session—as for several succeeding sessions—was the Rev. *Benjamin Godwin*, who took the place occupied the preceding session by the Reverend *James Blair*, commissary of the bishop of *London*, member of the governor's Council, and president of *William and Mary College*. The change in the chaplaincy was the result of causes arising at the preceding session of the House. The dissatisfaction of the House with their former chaplain is further shown by an attempt made at this session to cut off a part of the pay of Mr *Blair* for alleged failure on his part to attend punctually to his duties the year before. The book of claims, however, in which were set down all the claims which the Assembly agreed to pay, had to be passed by the Council as well as by the House, and the members of the Council stood loyally by their fellow, with the result that his full salary was finally allowed, though not until in a special joint conference held by duly appointed members from each house what were taken to be satisfactory explanations of his failure to read the services on several occasions were made for Mr *Blair*.³

The book of claims this session also contained many of the claims which the former House of Burgesses had refused to allow, but three of the claims which the governor and the Council were especially desirous of seeing passed were still rejected. These

² See pp. 18, 21, 22, 24.

³ See p. 36.

were two claims made for the subsistence for forty-three days of the officers and men of a *French* privateer taken by one of the *English* guard ships stationed off the capes at the entrance of the *Chesapeake* Bay and kept in *Virginia* until they could be sent to *England*, and the claim made for reimbursement by the owner of a vessel which in 1711, when a descent upon *Virginia* by a *French* squadron was feared to be imminent, had been fitted out to act as a scout ship. All three claims were considered eminently just by the members of the House, but they persisted in calling the two for subsistence of the *French* prisoners "no country charge," and in demanding that the owner of the scout boat be paid out of "the revenue."⁴ By this it was meant that regular prisoners of war taken by regular sailors or soldiers in the service of *England* should be cared for from the fund set aside by the *English* government for that purpose, and that the owner of the vessel should be reimbursed from the special taxes raised in *Virginia* for the purpose of paying the salaries of the colonial officials and all the contingent expenses of government. It was in vain that it was pointed out to them both by the Council and the governor in special written messages that the governor had already without success used his utmost endeavors to prevail on the proper officials in *England* to discharge the subsistence debts, the *English* officials maintaining that it was but right that the colony most benefited by the capture should assume the obligation, as was usual in all such cases. It was also in vain that it was pointed out that "the revenue" had for many years past been so unproductive as to be unable to meet the usual annual expenses of the government, which would be now many thousands of pounds in arrears had no recourse been had in emergencies to other revenues of the crown, that is, the quit rents.⁵

When it came, however, to matters other than the settlement of these claims, the governor was, with one or two exceptions, more successful in impressing his views on the House, as will be seen from an examination of the acts passed. Of these there were seven, of which, unfortunately, only two are given in full in *Hening*. Of the other five, however, one is merely an act for raising the public levy, a second is a private act to enable the owner of certain entailed land to dispose of it, and three others are acts continuing in force (with additions in cases) acts which are printed in *Hening*. And of the additions made to the acts a pretty clear idea may be obtained from the Journal and from *Spotswood's* letter of February 11, 1712-13, to the Board of Trade.⁶

By the first of the acts whose titles are given on page 42 of this volume, namely, "An act for continuing an act entitled an act for security and defence of the country in times of danger," the power was continued to the governor of calling out the militia in case of invasions or insurrections and of impressing supplies,⁷ and by the second, namely, "An act to continue an act entitled an act for appointing rangers," the rangers who had been provided for in 1711 were continued in service with increased pay.⁸ The third act in the list has the title "An act for continuing an act entitled an act for laying a duty on liquors and slaves and for appropriating the money sufficient to furnish nine hundred yards of duffels and one thousand pounds for the service and relief of *North Carolina* out of the said duty and for appointing a treasurer." Continuing the revenue measure was a matter of evident necessity, but for the passage of the part of this act appropriating money for the aid of *North Carolina* the governor assumed much credit in his letter to the Board of Trade of Feb. 11, 1712-13. The occasion for the appropriation was the renewal of the Indian War in *North Carolina* and the request for aid from *Virginia* made by the General Assembly of that province. In seconding this request *Spotswood* made an earnest appeal. The money was to be expended as the governor thought best.

The "Act to prevent land lapsing from infants for not seating and planting or not paying quit rents until three years after they come of age"⁹ had for its object the repeal

⁴ See p. 35.

⁵ See pp. 33, 41.

⁶ Official Letters of Alexander Spotswood, II, 9ff.

⁷ *Hening*, IV, 30; III, 362.

⁸ *Hening*, IV, 30.

⁹ *Hening*, IV, 31, 32.

of the section of the great land law passed in 1710 under *Spotswood's* guidance setting forth how long infant heirs to land which had been duly patented but not seated or planted as required by law, or for which quit rents had not been paid, might retain the land unforfeited. According to the 1710 law, they might retain it for only three years after the death of the patentee. The new law changed the term to three years after the infant, if a male, became of age, or if a female, three years after marriage, it being provided, however, in order to secure the payment of quit rents during the minority of the heir, that the guardian should be required, under penalty, to attend to the payment. *Spotswood* did not like this law, but not only the Burgesses but also the members of the Council were so desirous of its passage that he did not think it politic to withhold his signature. He wrote the Board of Trade that he thought the matter of too small importance to warrant his coming into collision with his Assembly over it, but that it might easily be disallowed by the queen at any time within three years if the Board of Trade thought advisable and no damage would be done. Since, however, the Board of Trade did not think it worth while to intervene, the law remained permanently on the statute books.

The "Act for appointing rolling houses and public landings and ascertaining the prices of storage"¹⁰ was a very important one for the convenience of the trade of the country, continuing such rolling-houses, or warehouses, as were already in existence and conveniently situated with reference to the public landings and empowering the county courts to establish new warehouses and landings where it seemed necessary. The act also fixed the rates of storage. The object of the act was merely to secure at convenient places in the Colony public buildings for the receiving and shipping, and public warehouses for storing, not only tobacco, but also all kinds of merchandise—public, not in the sense that they were owned by the public, but in the sense that they might be used by all on payment of the fixed charges. These warehouses were very different from the later tobacco warehouses to which all tobacco had to be taken for inspection.

The other two laws passed—the one for raising a public levy and the one for permitting the sale of certain entailed land—need no special attention, but there were two bills offered—both of them in the Council and the only two originating in that body—that are of more than usual interest. They were sent to the House by the Council the same day, *Saturday, November 15*, and on *Monday* both were promptly rejected. Their titles were "An act declaring what shall be accounted a sufficient seating and planting of lands hereafter to be taken up and patented" and "An act to prohibit all trade with the *Tuscarora* and other Indians concerned in the late massacre in *North Carolina* and for the better regulating the Indian trade." Of the first of these *Spotswood* was himself the author, as is seen from his letter to the Board of Trade, and it is probable that he was also author of the latter. The eighty-fourth article of *Spotswood's* instructions as governor had to do in general terms with the conditions of granting land, and he had been told to have the substance of the instruction passed by the General Assembly as a law. He had made a step in this direction in securing the land law of 1710 and was now endeavoring to take a second step. His bill was probably the same one which actually passed at the following session, but as yet the House of Burgesses was unprepared for it. The "Act to prohibit all trade with the *Tuscarora* and other Indians concerned in the late massacre in *North Carolina* and for the better regulating the Indian trade" was one to which the House of Burgesses could not possibly have had objections so far as the first part of it—that in relation to the Indians engaged in the *North Carolina* massacre—was concerned, and it is therefore probable that the regulation of all Indian trade was the feature for which they were as yet unprepared. *Spotswood* wished the Indian trade conducted by a chartered company which should have a monopoly. The bill this session thrown out by the House probably embraced this feature, and either the majority of the members of the House of Burgesses at this time opposed the principle or certain of the provisions of the bill were disagreeable. In 1714 a law embodying *Spotswood's* ideas was finally enacted.

¹⁰ Hening, IV, 32-36.

A matter in which Governor *Spotswood* was for both official and personal reasons peculiarly interested seemed until the very closing days of the session unlikely to be attended to. This was the completion of the governor's house, a building provided for first by law in 1705, when £3,000 was appropriated for its construction, and again in 1710, when a further appropriation of £1,560, with £635 for furniture and for laying out gardens, was made.¹¹ It was still not ready for occupancy. Despite the governor's message on the subject and the patent desirability of having the work completed, the House of Burgesses, angry that the cost of the structure had not been made to come within the original estimates, refused to act till two days before the close of the session, when, in response to a special message from *Spotswood* ending with these words, "I hope therefore that you will now for the honor of your country appropriate a further sum for completing that building, and not let it remain thus to all strangers a visible testimony of an imprudent undertaking," the House appointed a committee to wait on the governor to find out what sum he thought necessary for the completion of the building, and resolved, in order to be certain this time of having a sufficiency, to appropriate £300 more than the governor's estimate called for, namely, £900, instead of £600. The next day the Council readily agreed to the resolution.

Taken as a whole, the results of the work of the session were far from being unsatisfactory. The people had secured the passage of at least one law on which they had set their hearts, and the governor, though not able by any means to carry all before him, had accomplished several things which he much desired, and had paved the way for further successes in the two succeeding sessions.

Second Session.

The second session of this Assembly opened *November* the fifth, 1713, and closed *December* the twelfth. It was the exact antithesis of the second session of *Spotswood's* first Assembly, in that the feeling of confidence in the governor entertained by the majority of the members of the House of Burgesses which had begun to show itself in the session of the preceding year seemed now almost unbounded. Apparently with little difficulty, the governor succeeded in having all the policies he advocated passed into laws by the House. It seemed only necessary for him to speak and the thing he wished was done. In his opening address, which was far different from the curt speech delivered by him at the opening of the preceding session, being both deferential and detailed, he brought to the attention of the Assembly the matters he deemed of most pressing importance. These were the improving of the tobacco trade and the defense of the frontiers, with the rendering of assistance to *Williamsburg* in various respects an undertaking of subsidiary interest. An examination of the laws passed at this session shows clearly to what a marked degree the House responded to the recommendations of the governor as embraced in this address and in several messages sent the House in the progress of the session. There were twelve such laws, several, however, being private acts, or temporary, or acts of minor consequence. Of the twelve, only five, unfortunately, are given in full in *Hening*,¹² but references in the Journal itself both for this session and succeeding ones and in *Spotswood's* letters are sufficiently full to make possible a reconstruction of the others.

The first law signed by the governor¹³ had the title "An act for preventing frauds in tobacco payments and for the better improving the staple of tobacco." It was a law of the very greatest importance, and for several years to come destined to be the measure above all others causing a division of the inhabitants of the Colony into parties. The law, drafted in the main by the governor himself,¹⁴ provided for the compulsory inspection of *Virginia's* great staple at government warehouses by inspectors (called "agents" in the law) appointed by the governor, and the issuance of tobacco notes which were to circulate just as bank notes. In short, the law was the first form of the great tobacco

¹¹ Official Letters of Alexander Spotswood, I, 10, note.

¹² *Hening*, IV, 37-50.

¹³ See p. 73.

¹⁴ Official Letters of Alexander Spotswood, II, 49.

law of *Virginia* the discussion of which and the amendment of which received so much attention from future Assemblies, for though this act was itself repealed by proclamation in 1717, the substance of it was re-enacted early in the administration of Governor *Gooch*. The design of the law was to prevent dishonesty in all tobacco transactions by making it necessary that all tobacco shipped from the country or tendered in payment of debts in the country should equal in quality a certain standard, and to give to the use of tobacco as money a convenience it had never had before by the substitution of certified notes for the bulky article itself. In this way the trade in tobacco would be benefited—and with it the reputation of *Virginia* planters—and the condition of the salaried and wage-earning classes rendered very much improved both on account of the greater value of the tobacco itself (the inferior tobacco, called "trash," formerly much used in such payments now being unable to pass inspection) and on account of the ease of collecting the notes that stood for the tobacco. *Spotswood* claimed that one of the main good results had in view by him in offering the measure, was the enhancement of the value of the benefices in the country and the consequent assurance of a better supply of clergymen. Another object he had in view, and one which he set forth in his letter to the Board of Trade of *December 29, 1713*, but about which we may be sure he said little in *Virginia*, was to render the members of the House of Burgesses for the future somewhat more dependent on the governor than before, since it would be possible to use the power of appointment to the numerous inspectorships created by the law in such a way as to fill the House with the governor's adherents. The law was so unusual and so important that it had attached to it a clause that it should not go into effect till the following *December*. This was to give the Board of Trade ample time to consider its provisions.¹⁵

The next act signed by the governor at this session was entitled "An act for continuing an act for appointing rangers and for increasing their pay, and also to empower the lieutenant governor to disband the rangers and to apply the pay appropriated for them to any other use which he shall think fit for the better security of the frontiers." The rangers referred to in this law had been appointed first in 1711, and provision for their continuance in the service, with increased pay, had been made in 1712. The present law was the result of the peculiar conditions existing in reference to the Indians in *November* and *December 1713*. *Spotswood* had in his address at the opening of this session (*Nov. 6*) reported that the clothing ordered at the preceding session to be bought for the relief of the people of *North Carolina* had been delivered, but that only a part of the £1000 appropriated for their assistance had been expended. Later (*Dec. 7*), he had sent in to the House an itemized statement, with vouchers, of the account, and a message explaining that the full £1000 had not been expended because, notwithstanding the promise of the Assembly of the province of *North Carolina* to furnish subsistence for any men who might be marched from *Virginia* to the aid of that province, deputies who had met him at *South Quay* to talk over plans for the expedition had assured him that it would be impossible for *North Carolina* to carry out the promise. He had accordingly confined his measures against the *Tuscarora* Indians to the region this side of the *Roanoke* River, where it was in his power to obtain provisions, using in this service chiefly the rangers, whose pay was otherwise provided for, and the tributary Indians, whose services could be secured for small rewards. Hence a little more than £700 of the £1000 still remained in hand. The House promptly sent a message to his honor complimenting him on the manner in which he had conducted the affair, and saying that they had such confidence in the wisdom of his plans for the security of the frontiers that, if he wished, they were willing for him to apply this money in carrying them into effect.¹⁶ These plans had already been given in main outline in his opening address, but the details had of necessity to wait upon the final determination of those *Tuscarora* Indians who before had been at war with the *North Carolinians*. These Indians, having with their Indian allies suffered a severe defeat at the hands of Colonel *Moore* and a force, mostly allied Indians,

¹⁵ Official Letters of Alexander Spotswood, II, 46.

¹⁶ See p. 70.

from *South Carolina*, had retired into *Virginia* to the territory about the headwaters of the *Roanoke River*. *Spotswood*, failing in his effort to raise a sufficient force to go against them with hopes of success, had determined to make peace, negotiations for which were pending when the session opened.

It was his wish to settle the tributary Indians along the frontiers as a protection to the inhabitants, placing the *Tuscaroras*, if by treaty they should become tributary, on the headwaters of the *Rappahannock*, taking in every case of an Indian settlement the precaution, however, of settling white men among them to observe their movements, and providing for their education and Christianization through the services of teachers and ministers. By the first of *December* the chief men of the *Tuscaroras* had not come in to make the treaty, though the tribe had moved much closer to the frontiers, and *Spotswood* sent a special message on that day to the House saying that he could not advise that the rangers be disbanded—as it was proposed to have done if the settlements of the Indians could have been made while the Assembly was in session—but that he suggested that in the bill for continuing the rangers, which he now thought should be passed, a clause might be inserted giving him the power to disband the rangers if later he should think it advisable to do so and power to spend the money which would have gone to their support in carrying out the original plan. The next day it was unanimously resolved to act in accordance with the governor's suggestion. The law whose long title has been given was the result.

The third law signed, namely, "An act declaring what shall be accounted a sufficient seating, planting, cultivation and improving of lands already granted or hereafter to be taken up and patented," was also in a sense the governor's measure, though certain of its provisions were clearly inserted to meet the wishes of large landed proprietors in the Colony, of whom there were many representatives both in the Council and in the House. A bill containing many of the same provisions had passed the Council at the preceding session but had been rejected by the House. Now, however, the improved measure was accepted by the House also, it having been explained by the governor that if the bill were not passed he should feel himself bound to a stricter execution of his instructions in the matter dealt with than the bill itself called for. When *Spotswood* became governor in 1710, the 84th article of his instructions enjoined on him stricter methods of granting land than had formerly been enforced in the Colony, and he had later been directed to have the general provision of the article amplified so as to relate in an equitable manner to the various kinds of land granted—arable, "barren," and marsh—and passed as a law by the General Assembly. A peculiarity of this act was that it had, as did the tobacco act, a provision that it should not go into effect for a year, in order that it might be examined by the home authorities (the Board of Trade and the Privy Council) to see whether it conformed with the intentions of the instruction. The home government having found that it did so conform, the law finally became operative as one of the permanent laws of the Colony.¹⁷

In the same message in which *Spotswood* asked that the act just described be passed he also informed the House that he had been instructed by her majesty "to transmit yearly an account of all the births, christenings, and burials within the Colony." He found it impossible to do this, he said, because the majority of parish clerks in the country looked upon the law of 1661 requiring them to keep such registers as obsolete. Hence he asked that a law be passed which would enable him to carry out his instructions. "An act for registering births, christenings, and burials"¹⁸ was the result, requiring that the ministers, or if there were no ministers the clerks, of the various parishes in the Colony keep the records of births, christenings, and burials, of which they were to be duly informed, under penalty, by the persons most nearly interested, and they were to furnish copies of the rolls twice a year to the secretary's office.

¹⁷ This law is given in full in *Hening*, IV, 37-42, and is explained in the *Official Letters of Alexander Spotswood*, II, 46-48.

¹⁸ *Hening*, IV, 42-45.

The next three acts, the fifth, sixth, and seventh—the sixth and seventh being given in full in *Hening*,¹⁹ and the act of which the fifth was a repetition being given in full²⁰—were merely designed to continue in force laws which had been found to be useful. When the sixth and the seventh of these laws, “An act for continuing an act entitled an act for the regulation and settlement of ferries and for dispatch of publick expresses” and “An act for reviving and continuing an act entitled an act prohibiting seamen being harbored or entertained on shore,” first left the House, each had a clause to the effect that it was to be operative for only a certain length of time, but they were amended in the Council so as to be perpetual. This was done in accordance with instructions which had been sent to Governor *Spotswood* that laws which had been found beneficial should when re-enacted be made perpetual. When the instruction was communicated by the Council to the House, that body readily agreed to the Council’s amendment to each bill.²¹ The fifth act signed, namely, “An act to continue an act intituled an act for supply of certain defects found in an act prescribing the method for appointing sheriffs” was also a re-enactment of a temporary law found to be beneficial. It was not, however, made perpetual, for the reason that, as *Spotswood* explained in a letter to the Board of Trade dated *March* 9, 1713-14, it would shortly be entirely unnecessary. The law placed a fine on any person who having been appointed sheriff by the governor refused to act. *Spotswood* explained to the Board of Trade that there would be no motive for such refusals when the effect of the great tobacco law, passed at this session, should be felt in enhancing the value of the commodity in which the fees of the sheriffs were paid.

The eighth act, “An act to restrain the keeping too great a number of horses and mares,” given in full in *Hening*,²² is sufficiently described in its title, as are also the tenth, the eleventh, and the twelfth, only the titles of which are given. In connection with the eleventh, however, “An act for dividing St. Mary’s Parish,” *Spotswood* makes some interesting observations in his letter of *March* 9, 1713-14, to the Board of Trade. He says that the preamble of the act differs from the preamble of former similar acts in being so worded as to “set a precedent.” He had formerly pointed out to the Board of Trade how difficult it was to get a parish or county divided by the General Assembly, owing to conflicting interests of the inhabitants and to the frequency with which a choice of the representative for a county depended on the attitude of candidates toward a question of this character rather than on his general fitness for the position.²³ He thought he had the power according to his instructions to settle such questions himself, but since his predecessors, with the same instructions, had always allowed the Assemblies to take control, he asked for special directions in the premises. These had not come. Hence his allowance of the act this session.

The ninth act signed arose out of *Spotswood*’s recommendations in reference to *Williamsburg*. Its object was merely to put into the hands of an energetic committee for expenditure on necessary improvements on the capitol at *Williamsburg* and in resurveying the streets the money so far collected by the trustees of the town. The law making provision for the building of the capitol and the laying out of the city of *Williamsburg* had been first passed in 1679, and continued, with additions, in 1705. It was evidently now felt that better results could be secured by the appointment of a small committee than had been obtained by the larger body of directors named in the law of 1705. This committee was now empowered first to make the necessary repairs on the capitol, and then to have the streets of the city resurveyed if the money received from the trustees and others proved sufficient. The other improvements suggested by the governor were not authorized.²⁴ This committee was, however, further authorized to audit the accounts of the expenditures necessary to be made on the

¹⁹ *Hening*, IV, 45, 46.

²⁰ *Hening*, III, 493.

²¹ See p. 58.

²² *Hening*, IV, 46-49.

²³ Official Letters of Alexander *Spotswood*, I, 20.

²⁴ See p. 60.

governor's house for its completion. The £900 appropriated by the Assembly at their former meeting for this object had proved inadequate, and accordingly the governor had been authorized by resolution of the House agreed to on *Dec. 9*, to take the construction of the building under his own supervision. Nothing was said as to the amount which might still be expended, but no doubt it was supposed that it would be inconsiderable.

Third Session.

The third session of the Assembly began the 16th of *November* and ended the 24th of *December*, 1714. A new sovereign, *George I*, had now been proclaimed king, and this necessitated the taking a second time by the Burgesses the customary oaths of office. It also had the effect of bringing automatically to an end the life of the present General Assembly on the 16th of *May*, 1715, since a special colonial law in reference to the continuance of the General Assembly which might be in existence at the death of *Queen Anne* provided that unless sooner dissolved by the governor it might remain in being for six months, but no longer, after the beginning of any session it might hold in the new reign.²⁵ *Spotswood* clung to the present Assembly as long as possible, and no doubt issued writs for the election of new members of the House of Burgesses with reluctance, for the members of the House at the present session were almost as tractable, even if not altogether so, as they were the preceding session, while there were already symptoms among the people at large of opposition to certain measures of which *Spotswood* was the unyielding advocate, and there was no telling how much weight this opposition might have in the new elections.

In his opening address the governor reported that affairs on the frontiers were in a much more satisfactory condition than they had been in at the opening of the preceding session, good progress having been made in the execution of his cherished plans, and the cost of guarding the frontiers by means of the "settlements" he had made being far less than the cost of the rangers. He had nothing to say, indeed, in reference to the *Tuscarora* Indians, for these had finally failed him, but the place which he had designed for them had been taken by certain *German* refugees who had opportunely arrived in the country. These he had settled on the *Rappahannock* some miles beyond the frontiers as they then were, and he recommended them to the benevolence of the Assembly. He had commenced, too, the settlement of the tributary Indians, having settled a few white men with them to "observe their actions," but hoped that in course of time this guard might be withdrawn. He advised that the trade with these Indians as well as with foreign Indians be carefully regulated. Calling attention to the severe drought prevailing the preceding summer, he advised that measures of relief be adopted for the benefit of the sufferers thereby. He also asked that provision be made for the proper care of a large quantity of ammunition and arms which her late majesty had sent to the Colony. In conclusion, he exhorted the Burgesses that they take care to preserve the good agreement among themselves and between their chamber and the Council and governor observable up to that time, since such an agreement would make the best of impressions on their new sovereign, predisposing him to the interests of *Virginia*.

All the governor's suggestions were promptly followed in the passage of appropriate laws. In addition, many of the petitions handed in also resulted in laws for the removal of the grievances of which they complained, and several laws found to be beneficial which were near their expiration were re-enacted. All these, added to several private acts that were passed, made up a considerable mass of legislation. There were also three bills on which much work was done but which did not finally become laws, two of them because the House and Council could not agree on certain amendments, and the third because, though it was agreed to by both chambers, the governor refused to sign it since it was a bill for the re-enactment of a law which had been found to be beneficial but nevertheless was drawn so as to be temporary, and not perpetual, as it should have been according to the governor's instructions. This bill had the title "An act for security

²⁵ Hening, III, 355, 356.

and defense of the country in times of danger." It seems, from what *Spotswood* says of it in his letter to the Board of Trade of *January 27, 1714-15*, in which he gives an account of the legislation of the session, that the members of the Council cared very little about the act, and *Spotswood* himself even less, despite what he calls "its precious title." One of the bills on which the House and the Council could not agree had for its object the adding of a part of *James City* county to *Charles City*, and the object of the other was to make more convenient the boundaries of the several parishes in *Prince George* County. The resulting dead-lock in each case was good proof of the correctness of the observations made by *Spotswood* some time before on the inconvenience arising from the control of such matters by the General Assembly.¹⁶

The only other matter in reference to which *Spotswood* found it impossible to control the Assembly was the joint address of the House and the Council to his majesty the king requesting that he allow the quit rents to be permanently used to defray the expenses of the government of *Virginia*. On the 10th of *December* the governor sent a special message to the House stating that the revenue appropriated for the support of the government continued to be greatly insufficient, and calling attention to his message of the 28th of *November, 1712*, to which reply had been made that the House did not then have time to "consider fully so great a work." Now, after two years, the governor hoped that the House was prepared to come to some resolution on the subject. On the fifteenth the reply of the House was ready. It was in substance that the only recourse which the House could see was an application by the Council to the king for the use of the quit rents. The following day the Council informed the House by message that in their opinion the application should be made by both chambers of the Assembly in a business of such great import. Consequently a very earnest address was prepared by a joint committee of the two chambers, setting forth the great need, pointing to precedents, and finally asking that the quit rents paid in *Virginia* be permitted to remain there as a source which might be drawn on in every case of emergency.¹⁷ At the same time an address was prepared to the governor asking that he transmit with his recommendation the paper prepared for presentation to the king. The governor transmitted the address as requested, sending it to the Commissioners of the Treasury, with a letter explaining that he did not "join with the General Assembly in so improper a request as is that of asking his majesty in the very beginning of his reign to give away his whole revenue of quit rents," though he concurred to the extent of asking that the present deficiency be made good from that source.¹⁸

At this session there were passed seventeen acts, of which only four are given in full in *Hening*,¹⁹ and only one of the others by title. Fortunately, however, *Spotswood* gives in his letter of *January 27, 1714-15*, a description of most of them, and the *Journal* gives much information also. Hence their most important features at any rate are known.

The first four acts given in the list on pages 116 and 117 were passed in response to the governor's various recommendations in his opening speech. In the "Act for the better regulation of the Indian trade," it was provided that all trade with the Indians in *Virginia*, both tributary and "foreign," should be carried on at one place, namely, the new settlement of *Christanna* on the *Meherrin* River, in open market, by the agents of a company that was to have a strict monopoly of the trade for twenty years. In return for the privileges granted, the company was to contribute toward the erection of the magazine to be built at *Williamsburg* as a storehouse for the ammunition and arms of the Colony, to take its supplies of powder used in the Indian trade from this magazine, always putting in an equal amount of fresh powder—this was to prevent the powder in the magazine from becoming impaired with age—to erect a school house for the Indian children at *Christanna*, and after the lapse of two years to assume the maintenance of

¹⁶ See above.

¹⁷ See p. 109.

¹⁸ Official Letters of Alexander Spotswood, II, 80, 81.

¹⁹ *Hening*, IV, 51-57.

the fortifications at that place and of the guard of twelve men with an officer. Some of the advantages to flow from this law were the prevention of illicit and harmful trade with the Indians, the easy suppression of trade altogether whenever it seemed advisable, the great extension of the trade in proper articles and under correct regulations by making it possible for the people of the country in general to subscribe to the stock of the company, the gradual education of the Indians by means of the instruction in the school and by the trade itself, and their sure conversion into friendly and civilized neighbors.

The "Act to exempt certain *German* Protestants from the payment of levies for seven years and for erecting the parish of Saint *George*" had to do with the *Germans* settled by *Spotswood* just above the falls of the *Rappahannock* River. These *Germans* had in the first instance been encouraged to come to *Virginia* by the baron *de Graffenreidt*, who hoped that they, many of them being practical miners, would be able to find valuable mines there. But the baron had not been able to continue in *Virginia* till their arrival. Hence they were entirely at *Spotswood's* disposal, and he saw in them good substitutes for the *Tuscarora* Indians to play a part in his general scheme of strengthening the frontiers, especially since he had a private project on foot for working the mines in the neighborhood of the place where they were located, *Germanna*, as soon as it could be definitely ascertained what share of the product would be expected by the *English* crown. The "Act for the relief of persons who by reason of the drought of last summer have made small quantities of corn and tobacco and who for want of opportunity of shipping have great quantities of old tobacco now by them, and for punishing persons who shall carry any hogheads of tobacco not stamped out of this Colony" seems to have allowed that debts both public and private should be paid for the time being in the same kind of tobacco as had been receivable before the great tobacco law passed at the preceding session of Assembly went into effect, and to have permitted the shipment of this kind of tobacco from the Colony.³⁰ The "Act for erecting a magazine" provided for the erection, at a cost of not to exceed £200, of a suitable storehouse for the safe keeping of arms and ammunition, and for the salary of a keeper and an armorer. It further provided that so soon as the *Virginia* Indian Company should be incorporated for trade with the Indians, it should, before entering on the trade, pay to the treasurer of *Virginia* £100, part of the sum to be expended on the building. The governor was empowered to superintend the construction of the building and to issue his warrants from time to time on the treasurer for payment of the money appropriated, which was to come from the fund arising from the duty on liquors and slaves. The last provision was made a part of the bill, not merely as a mark of confidence in the governor, but also because the building was needed at once and the governor offered to advance the necessary amounts from his own purse and wait for payment from the duties, which were already considerably anticipated.³¹

The "Act to prevent the malicious burning or destroying the public storehouses of the tobacco agents" was rendered necessary by the extremes to which some of those opposed to the great tobacco law had already gone in their talk. It does not seem that any actual case of warehouse burning had taken place. The object of the law was to show what punishment might be expected to follow the commission of such a crime, which was classed as a felony punishable by death. By the "Act to continue an act entitled an act for preventing frauds in tobacco payments and for the better improving the staple of tobacco" the great tobacco law was continued in operation for one year beyond the limit set in the first law, one or two acknowledged defects being amended. For example, provision was made whereby the rent charged by the owners of such houses, or of the land on which they were built, might not be excessive.³²

None of the other acts needs to be dwelt upon at any length, since the object of each is readily inferred from the title. It is of interest to note, however, that the "Act

³⁰ Official Letters of Alexander Spotswood, II, 96. See also this volume of the Journals, p. 100.

³¹ Official Letters of Alexander Spotswood, II, 97.

³² See pp. 93, 94.

for continuing an act entitled an act for prevention of abuses in tobacco shipped on freight," which merely continued the law of 1710, the "Act for regulating and settling the current rates of gold coin and of *British* silver coin in this dominion," whose purpose was to fix the rates at which different coins should circulate at such figures as would prevent their being driven from the Colony, and the "Act to oblige owners and occupiers of mills to which public roads shall lead to make the dams of such mills ten feet wide at the top," whose object was to insure a sufficient width to these dams to enable wagons to be driven over them with ease and safety, became permanent general laws of the Colony.

The good feeling existing during this session of the Assembly between the Council and the House was, as was that between the House and the governor, very commendable, nothing occurring seriously to interrupt it, since the difference between the two chambers as to the bills on which they could not agree were not allowed to become exaggerated into violent disagreements, and the only case in which there might have been a possible misunderstanding over a question of precedence was foreseen and provided against. This question was whether the joint address to the king congratulating his majesty on his accession to the throne should be delivered to the governor, who was to forward it, by the speaker of the House or by the president of the Council. The House claimed that it should be delivered by the speaker, since the address had been prepared in the House. It was finally agreed that if the governor should be pleased to have the address delivered to him in the Council chamber, then it should be read to him and the paper handed him by the speaker of the House; but if in the "palace," by the president of the Council. In the House itself there seems to have been only one occasion on which the feeling exhibited by a member in debate ran unduly high. The member was Mr *George Marable*, of *James City County*, and the question up at the time (Nov. 29) almost certainly was whether the tobacco law should be continued or not. Mr *Marable*, who was much opposed to the law, rendered himself in the course of his remarks liable to the complaint, brought in the following day, that he "did yesterday in a debate in the House utter many indecent and reflecting speeches against several members of this House then present, in breach of the rules of the House."³³ On proper explanation, however, that he intended no reflection by the words he made use of, he was excused. This incident is interesting not so much in itself as in the premonition it gave of the feeling that was to control the next House. In this House Mr *Marable* became a leader, and used every effort to have the tobacco law repealed.

³³ See p. 93.

Assembly of 1715.

THIS Assembly, which had only one session, met on the third of *August*, 1715, and was dissolved on *September 7* of the same year. Though thus in session for more than a month, it passed only three acts, "An act for the encouragement of such persons as have gone and shall go voluntarily into the service of *South Carolina*," "An act for raising a public levy," and "An act requiring the vestry of the parish of *Henrico* to build a chapel in the said parish," no one of them a measure of great importance. The important bills of the House were defeated in the Council, and the one important bill of the Council was defeated in the House. Hence, so far as actual legislation is concerned, this Assembly may well be called the "do-nothing" Assembly. The repeal of the tobacco law had been made the great issue in the election of members, and those favorable to repeal now took control. Mr *Peter Beverley*, speaker of the House for the two former Assemblies, failed of re-election to this position, his place being taken by Mr *Daniel McCarty*, a new man. Mr *Beverley*, indeed, was excluded from the House altogether, for, having failed of election from *Gloucester*, the county he formerly represented, he was returned by the inchoate corporation of *William and Mary College*, and the House decided that the college, not having a sufficient number of masters and still being under the control of trustees, was not entitled to representation.* Mr *Gawin Corbin* and Mr *John Clayton*, both new men, were made chairmen of the committees of privileges and elections and propositions and grievances, respectively, and Mr *George Marable* was placed at the head of the committee of public claims after the decision was reached that Mr *Beverley* was not rightfully a member of the House, Mr *Beverley* having up to that time acted as chairman.

The occasion of the calling the Assembly together was the alarming condition of affairs in *South Carolina*, where the colonists had been suddenly attacked by a combination of Indians before considered staunch in their friendship, and where at one time it had looked as if the whole colony would be overrun. On first hearing of the situation *Spotswood* had sent a large supply of arms and ammunition and later a force of men, and it was in order to be enabled to give further assistance that he convened the Assembly—for this purpose, and to secure the passage of such a law for the improvement of the militia as would render it a sufficient defense in case the Indian war should spread to *Virginia*. In his opening address he gave, in addition to the facts just set forth, rather reassuring information that some of the tribes warring against *South Carolina* had sent messengers to him offering an accommodation. He strongly urged, however, that the chance of coming to terms with them should by no means cause the Assembly to think of laying aside for an instant the concerting of measures for the assistance of *South Carolina* and the defense of *Virginia*. He pointed out that the surest way of securing an advantageous treaty was to impress the enemy with a notion of the strength of *Virginia*. For this reason he desired a very short session, so that he might meet on the frontier at the head of a considerable force the chiefs of the tribes from *South Carolina* who were coming to treat of peace.

In spite of this address, however, and in spite of the fact that it had been stated in the writs calling the Assembly together that the meeting was to be for the purpose referred to, the House went to work at once on other matters, deferring the consideration of the governor's address to the following *Monday*, although the address was delivered to them on *Thursday*, and not finally giving the governor an address in reply until the 10th of the month, six days after his address had been delivered in which he urged expedition. The usual committees were named and the usual orders promulgated, for instance, among others, that all propositions, grievances, and public claims should be brought into the House by a fixed day, and that the committee of propositions and grievances should inspect the Journal of the House for the last session and report

* See p. 138.

to the House what was found to be necessary to be considered the present session. And an order showing conclusively that the House, far from intending a short session, was deliberately planning for one exactly the reverse, was the following, agreed on the same day that the address was delivered: "That all petitions, propositions, and grievances directed for the last session of Assembly and not considered be admitted to the consideration of this session."³⁵ The majority of the members of the House evidently thought that the matters called to their attention by the governor were not so urgent after all as the governor wished them to appear, and that, besides those things mentioned by him, other matters should also receive consideration—especially, as it soon developed, the question of the repeal of the tobacco act.

The same day the House was informed by some of its members that the justices of the county of *Richmond* had neglected to hold a court for certifying public claims as by law required, and thereupon it was ordered that the justices be prosecuted by the attorney-general for their neglect. Complaint was also made to the House that certain justices of the court of the county of *New Kent* at a court held for receiving and certifying propositions and grievances to the General Assembly had refused to receive a paper containing propositions and grievances signed by inhabitants of that county, and it was ordered that the offending justices be sent for in custody of the messenger of the House. This case proved to be one of the most interesting and exciting dealt with at that session of the Assembly, or, in fact, at any session of the General Assembly during its whole history. On the 9th of August, *Richard Littlepage* and *Alexander Walker*, two of the *New Kent* justices, having been arrested by the messenger, were called to the bar of the House for examination; after which it was ordered that they should be required to make "an humble acknowledgement of their error at the bar of the House," and then reprimanded by the speaker. Mr *Walker* acted in accordance with the judgment of the House, and was discharged from custody upon paying fees, but Mr *Littlepage* obstinately refused. He was ordered to be kept in the custody of the messenger. Three days later Mr *Littlepage* and Mr *Butts*, who had in the meantime also been arrested by the messenger but who had not made his appearance before the bar of the House, made their escape from custody. When information was given the House of this fact, the messenger, having been called to the bar and examined, was judged guilty of a misdemeanor and neglect in the execution of his office, and Messrs. *Littlepage* and *Butts* were declared guilty of a "high misdemeanor and contempt of the authority" of the House. It was ordered that they be pursued and retaken. The execution of the order was put in the hands of a new messenger immediately commissioned by the governor.³⁶ When, however, the messenger in person informed Mr *Littlepage* and by deputy Mr *Butts* of the order of the House, both gentlemen refused to surrender themselves into custody, saying that, the House of Burgesses having no authority to send for them, they would not obey. When informed of this on the 15th,³⁷ the House resolved that an address be presented to the governor asking that he give such orders as he might think necessary for bringing the two gentlemen before the House "to answer for their repeated contempts of the authority" of the House. It was necessary for the House to apply to the governor, since at that time they had only one messenger and he was an appointee of the governor. The address was duly prepared by the committee of privileges and elections³⁸ and duly delivered.³⁹ The governor gave verbal reply that his concern for the honor of the House of Burgesses should always equal theirs for the honor of their country, and that the executive power would vindicate the representatives of the people "conformable [conformably] to the support they agree to afford it." This reply, promising nothing and showing only the irritation of the governor at the neglect of the House so far to furnish the assistance asked for at the opening of the session, was unsatisfactory to the House, and it was

³⁵ See p. 124.

³⁶ See pp. 135, 136.

³⁷ See p. 139.

³⁸ See p. 140.

³⁹ See p. 142.

resolved that a second address to his honor be prepared by the committee of privileges and elections to the effect that he be pleased to issue such immediate orders as he should judge most effectual for bringing *Littlepage* and *Butts* before the House. This second address was reported to the House on the 18th, and is an unusually well expressed paper, being in the style of Mr *Clayton*, the chairman of the committee of propositions and grievances, rather than in that of Mr *Corbin*, the chairman of the committee of privileges and elections. In fitting terms it set forth the reasons why his honor was again appealed to, and begged that he should take steps to preserve to the House their ancient rights and privileges, which were in danger of being subverted if the contumacy of those two gentlemen were allowed to go unpunished. The address was signed by the speaker, and taken to the governor by the committee of privileges and elections, the committee of claims, and seven members in addition. To this address the governor sent a written reply, showing the same irritation as did the former verbal reply. Its opening sentence was: "I am sorry to find your utmost concern to be about what you call the rights and privileges of your House, while you seem to reserve none for the distressed condition of your neighbours, and testify the greatest indifference for the safety and honor of your country."⁴⁰ Continuing, the governor said that while he was ready to assist the House in maintaining its just rights and privileges, he must be excused from aiding in any of their invasions on the prerogative, and that they had no right to erect themselves into a court of judicature for the trial of the justices of the peace. The next day the House agreed to several resolutions to the effect that the House had an undoubted right to receive, hear, and redress the grievances of the people of the Colony when legally certified, and that the refusal of *Littlepage* and *Butts* to certify the propositions and grievances submitted to them while sitting as members of a court held for the purpose of certifying grievances was arbitrary and illegal and a subversion of the rights and liberties of the people; that the House in sending for them did not intend to invade any part of the royal prerogative and were of the opinion that they had not done so; that the two gentlemen in disobeying the orders of the House and escaping out of custody were guilty of a great misdemeanor and contempt, and ought to be punished; and that they ought to be compelled to appear and answer their misdemeanor and contempt at the bar of the House. It was further resolved that a suitable address to the governor be drawn up on his message. In this address, also very skillfully worded, showing that there was at least one writer of real ability in the House—it was undoubtedly Mr *Clayton*—the whole conduct of the House up to the time of the writing of it is defended. So far as their conduct in reference to the two justices was concerned, they protested that they had no desire to invade the royal prerogative, but it seemed to them that when justices in cases which "were not judicial but ministerial only" assumed a jurisdiction and by their judgment debarred the people and their representatives from the methods prescribed by law for redressing grievances, such matters were to be taken cognizance of by the Burgesses in Assembly; and they were the more inclined to this opinion since the law directing that the justices hold the courts for certifying grievances was silent as to how justices refusing to certify grievances, as in this case, should be proceeded against.⁴¹ The Council, in the meantime, objecting to the wording of the resolution of the House that the House had the right of receiving, hearing, and redressing the grievances of the inhabitants of the Colony, sent a message to the House reminding that body that the power of redressing grievances was lodged in the whole General Assembly, with the governor's concurrence, and not in the House singly. The Council claimed that all such propositions and grievances should be directed to the General Assembly and should be considered first by the Council, the upper house of Assembly, and they hoped that the action of the House at the present session in considering several such papers without referring them at all to the Council, arising probably from inadvertance, might not be taken as a precedent for the future. To this message a very polite reply was returned, in which the House assured the Council

⁴⁰ See p. 144.

⁴¹ See p. 143.

that it was far from their intention "to attempt to invade any of the privileges of the upper house." The law, the message said, did not prescribe how these grievances should be directed, and accordingly they had been variously directed; occasionally they were not directed at all; hence the House thought it within the province of the Burgesses to receive and hear, in order to redress, all such papers as were not specifically addressed to the Council or the governor; but the House was very willing to transmit at any time to the Council all such propositions and grievances as the Council might desire to inspect. In a further message to the House, delivered *August 27th*, *Spotswood* asserted that frequently in the past propositions and grievances had failed of the attestation of the county courts, but still had been received by the General Assembly, and he called the attention of the House to the fact that the uncertified grievances of this session had not been by any means barred by the House. If the justices were not to use their judgment in distinguishing between those complaints which were baseless and those which were just, he did not see any reason for submitting them to the court before sending them to the Assembly. This was, according to *Spotswood*, probably the first time that any House of Burgesses had ever sought in this way to punish justices for presuming to judge of the truth or falsity of a complaint of this nature, and he was unwilling to assist them in making good an assertion of rights and privileges beyond those claimed by their predecessors. On the other hand, the Burgesses maintained in resolutions agreed to the 2nd of *September* that the only motive of the House in adopting the course they had pursued was their wish to maintain the rights and liberties of the people against those who desired to "deprive them of the benefit given by law;" that the paper refused certification contained nothing false or seditious; that the *New Kent* justices, being the first to refuse to certify such papers, ought to be the first to be punished at the bar of the House; and that in the refusal of the governor to aid the House in compelling *Littlepage* and *Butts* to appear at the bar, the House was denied its "just rights and privileges." The Council, in this controversy siding with the governor, informed the House in a long message, delivered the last day of the session, devoted to a discussion of the various questions at issue, that if the House had asked merely that the governor aid them in retaking a prisoner who had escaped from the custody of their messenger he would have complied with the request, but that his refusal to aid was caused by the insistence of the House on erecting themselves into a court to try crimes and misdemeanors. And even the Council's message did not contain the last word on the subject; for the governor vehemently returned to it in his long address delivered at the close of the session, merely repeating, however, in different words what he had already said.

Now that the smoke of battle has long since rolled away, it is not hard to determine that in their main contention the House of Burgesses was right. The law⁴² allowed the justices no power whatever to examine into the nature of the grievances; it called for the certification of all. The framers of the law felt, no doubt, that the mere requirement that a person or persons drawing up a paper setting forth a grievance should present it to the county court would effect the elimination of those that were frivolous; and they did not wish to put any further clog on the right of petition. Manifestly, if justices were permitted, in plain contravention of the law, to judge of the matter of these papers, the right of petition would be seriously impaired. This was by all means to be prevented, and the members of the House felt that, in the absence of a special provision covering such a case, the House was the proper body to take cognizance of it. Though the act of the justices was not a breach of the privileges of the House, it was an illegal act which it was very well for the House to take notice of. In later times there were several similar cases in which the House insisted on taking jurisdiction. The first of these was the case of *Joseph Smith*, one of the justices of *Essex County*, who in the 1723 session of the Assembly was by order of the House reprimanded by the speaker for refusal to certify a grievance.⁴³

⁴² Hening III, 245, 246.

⁴³ See p. 373.

A very interesting case of the exercise by the House of the right of judging of the election and qualifications of its members presented itself at this session in the case of Mr *William Cole* and Mr *Cole Diggs*, elected to represent *Warwick*. In their canvasses these gentlemen had promised that if elected they would draw no salary. This having been reported to the House and examined into by the committee of privileges and elections and found to be true, the two gentlemen were declared not duly elected, and the governor was requested to issue a writ for a new election. At this election Mr *Cole* and Mr *Diggs* were again successful, and, having made this time no ante-election promises we may be sure, were allowed to take their seats. Mr *Cole* and Mr *Diggs* were of the governor's small party in the House, and the governor in his message of *August* the 27th took occasion to taunt the House with the treatment meted out to them, whereupon the House in their resolutions of *September* the second affirmed that the action taken was only according to the law of the Colony. The Council, in their message of *September* 7th to the House, declared that there was no law in *Virginia* to prevent a candidate from generously offering to serve without pay. Finally, the governor, in his closing address, made further sarcastic reference to the incident. Despite the governor's sarcasm, however, and the Council's assumption of superior knowledge, it must appear to any unprejudiced mind of the present day that the House was justifiable in its course, for the law distinctly disabled any one from sitting in the House who made a gift of money or anything else or promised any gift or reward to any "person or persons in particular" or to any "county, town, or corporation in general;" and certainly the offer of service without pay was the promise of a reward to the county, the counties at that time paying the salaries of representatives.

Toward carrying out the purpose for which it had been called together the House did almost nothing; for the "Act for the encouragement of such persons as have gone and shall go voluntarily into the service of *South Carolina*" merely provided that they should be relieved from paying taxes for the year. It is true that the House voted to appropriate £450 to enable the governor to carry out his agreement with *South Carolina*, but it tacked the appropriation to the House bill for the repeal of the tobacco law, hoping that possibly in this way the measure which had become so obnoxious to the majority of the members might be got rid of.

The tobacco law could not be repealed in any other way, since both the Council and the governor were firm friends of the law, being willing, however, even desiring, that several amendments be made. These were embodied in a bill drawn up and passed by the Council, the main provision being that the fees of the agents, or inspectors, should be cut in half, but this bill was rejected by the House.

Leaving aside the spirit in which it was conceived, the address of the governor made at the close of the session gives a good summary of the attempted legislation. This speech is, however, bitter, unfair, and insulting to the opponents of the governor, most, probably all, of whom were as honest as the governor himself, and many of whom were as sagacious. In the last sentence of this speech he dissolved the Assembly.

⁴⁴ Henning, III, 243.

The Assembly of 1718.

First Session.

THE Assembly of 1718 held two sessions, the first lasting from April 23rd through July 10th, with a long intermission from May 30th to July 10th, and the second lasting from November 12th through December 1st. *Spotswood* had dissolved his former Assembly in a high rage on account of the insistence of the House on devoting its time to the consideration in its own way of the questions it thought most important, to the exclusion of the one recommended by the governor. He hoped by an appeal to the country to find himself provided with a House of Burgesses more inclined to look at questions through his lenses. Unfortunately for him, however, a dispute which had almost as soon as he first came to *Virginia* commenced between himself and two of the most influential members of the Council, Colonel *Philip Ludwell* and Colonel *William Byrd*, the former the auditor of accounts of the Colony and the latter the receiver general, over the methods of collecting and auditing the revenues, had grown in violence, as had a dispute with the majority of the members of the Council, also of some years' standing, as to the right of the governor to name as judges of the courts of oyer and terminer any persons except members of the Council. A dispute, too, between himself and Commissary *Blair* as to the right of presentation to benefices had arisen. The result was that eight of his twelve councillors could now be counted on to oppose his views wherever a possible difference of opinion could arise as to their wisdom, whereas in the former Assembly the majority of the Council were still friendly, only Colonel *Ludwell*, Colonel *Byrd*, and possibly one or two others giving countenance to the proceedings of the House of Burgesses. The feeling of the members of the Council had made itself felt in the elections, and this, added to the old bitterness engendered at the last meeting of the Assembly, had as its result the return of a House even more hostile to the governor than was its predecessor. It was made up, indeed, very largely of the same members as before, but was no doubt strengthened in its opposition by the fact that now it could look for the support of the upper chamber of the Assembly—not, indeed, on all matters coming up for consideration, for there were still differences of opinion between the two chambers, but on matters peculiarly affecting the governor. The tone of the papers addressed by the governor to the House showed a great improvement over the tone characterizing those of the former session, for it had been intimated to him by the Board of Trade⁴⁵ that the Board desired a change in this respect, but the tone of the papers of the House was on more than one occasion studiously offensive, and the House seemed, when it was necessary to send written communications to the governor, to select as members of the committees intrusted with the delivery of them just those Burgesses in the main known to be on unpleasant personal terms with him.

The number of members of the House during this Assembly was fifty-two, instead of fifty-one, the number for the preceding Assembly after Mr *Peter Beverley* had been compelled to withdraw, the gentleman elected to represent *William* and *Mary* College being now allowed to take his seat. The reasons for the rejection of a member for *William* and *Mary* were as strong as they had been at the meeting of the preceding Assembly, for the college had not yet been turned over by the trustees to the president and masters, but the gentleman who was formerly returned was Mr *Peter Beverley*, a friend of the governor's; now, no doubt, Commissary *Blair*, who as president carried the vote of the college in his pocket, had given this vote to a determined opponent. Mr *Daniel McCarty* was re-elected speaker, and toward the close of the session⁴⁶ the House resolved that the sum of £100 out of the money in the hands of the treasurer

⁴⁵ Official Letters of Alexander Spotswood, II, 228.

⁴⁶ See p. 214.

be given him. This was probably to reconcile him to his failure of election to the office of treasurer, an office usually held by the speaker of the House. Owing to the feeling existing at the preceding meeting of the Assembly and at this one, as at the following meeting, no bill naming a new treasurer could be passed, and therefore Mr *Peter Beverley*, not now a member of the House, continued to hold this responsible and lucrative office. Mr *John Clayton*, probably the best educated and most talented member of the former House, had failed of re-election from *Jamestown*, being succeeded by Mr *Archibald Blair*, brother of Commissary *Blair*. Mr *Clayton's* position at the head of the committee of propositions and grievances was taken by Mr *Gawin Corbin*. The governor charged that the principal papers proceeding from the House at this session were written by members of the Council, as that many of the measures adopted by the House had their origin in the brains of his enemies of the upper chamber. The clerk of the House at the beginning of the session was Mr *Thomas Eldridge*, who was very soon, however, succeeded by Mr *John Randolph*, subsequently the distinguished Sir *John Randolph*. Mr *Richard Buckner*, the former clerk, had fallen under the grave displeasure of the House because he had inserted in the Journal of the former session as a part of the proceedings the closing address of the governor. When called before the House to give reasons for doing this, he explained that it had been done by the special order of the governor. He was discharged from custody on the payment of fees. Since the clerk of the House was an appointee of the governor, Mr *Buckner* could no doubt at the beginning of this session have been named for the position. Knowing the feeling, however, he preferred not to continue in office.

In the interim between the dissolution of the Assembly of 1715 and the convening of the Assembly of 1718 the opponents of the tobacco law and the law respecting the Indian trade had made such assaults upon them before the Board of Trade, bringing to their assistance the powerful influence of the *British* merchants trading in *Virginia*, that these two laws had finally been repealed by an order in council. The *British* government, moreover, had been pleased to send out instructions that no law in the future affecting the trade and shipping of *Great Britain* should be signed by the governor till approved by the Board of Trade and the Privy Council, and recommendations that the Indian Company be reimbursed the sums expended by it for the benefit of the Colony. *Spotswood* announced in his opening address that the main purpose of his calling the Assembly together at that time was to communicate the instruction and the recommendation. He also wished, however, to be provided with means for going to *Albany* to make a treaty with the Five Nations, who had recently shown some disposition to recede from the treaty entered into with Lord *Howard*, and he hinted that he should be reimbursed the expenses incident to several expeditions he had undertaken in the country's service—one of which was, no doubt, the famous expedition over the *Blue Ridge* Mountains in 1716, and another was his journey to *New York* in 1717 to consult with the governor of that colony in reference to Indian affairs. In beginning his address the governor expressed his great pleasure in being able to call attention to the very flourishing condition of the Colony at that time, the direct taxes laid on the people being light, the products of their labor in great demand, tranquility prevailing on the frontiers, and the treasury containing a greater amount of money than had ever been before collected in it. It was the unusual business of the Assembly to dispose of a surplus rather than to devise means for raising revenue.

In attending to the matters referred to, the House took its own time and pursued its own methods. After delivering the governor a purely formal complimentary address in reply just one week after the presentation of the opening address, it in a second address requested that the governor inform the House in what way the northern Indians had shown a disposition to break away from their former treaty and what expensive expedition he had undertaken "purely for the service" of the Colony, asking that his expense account be handed in at the same time. In reply the governor instanced a circumstance which must already have been well known to the members of the House.

⁴⁷ Official Letters of Alexander Spotswood, II, 276 ff.

namely, an attack made the year before near *Christanna* by a band of *Senecas* on a body of *Catawbas*, who had come to the fort to deliver up hostages, and who in accordance with the regulations at the fort had given up their arms. In the same message he expressed the hope that, since the Indian Company was now dissolved, which had agreed to keep up the fortifications at *Christanna*, the House would provide for this, for the protection of the *Sapony* Indians, the only tribe which had carried out the treaty made in furtherance of his former scheme for settling the tributary Indians as a protection to the frontiers. He also recommended to the care of the House the hostages delivered at *Christanna* by the *Catawba* Indians. As for the expeditions he had engaged in "purely for the service of the country," the diary he had kept of his movements enabled him to give an account of his travels, but he had kept no expense account. The Council, in so far as *Christanna*, the *Sapony* Indians, and the *Catawba* hostages were concerned, were in accord with the governor, writing two long messages to the House which covered the whole ground minutely⁴⁸, and explaining that all the measures taken since the repeal of the "Act for the better regulation of the Indian trade" had been taken with the Council's approval, even the request made to the Indian Company—which was dissolved as a legal corporation and a monopoly by the repeal of the law but which did not immediately go out of existence as a private company—to continue the work begun for making *Christanna* more defensible, to keep up the guard, and to care for the *Catawba* hostages till the General Assembly should make provision for these objects. The Council, as well as the governor, wished the fortifications and the guard kept up and the hostages retained. Notwithstanding this, the Burgesses resolved that nothing should be paid the Indian Company for the expense it had incurred in perfecting the defenses of *Christanna* since the repeal of the law; that keeping up and guarding Fort *Christanna* would be of no benefit to the country; and that the hostages should be sent home, in such a manner, however, as would preserve the friendship of the *Catawbas*. The only concession made was that the Indian Company should be paid for the maintenance of these hostages from the 13th of the preceding *November*, the date of the proclamation repealing the law. The substance of the resolution was embodied in an address to the Council, and also in an address made the governor on the day of adjournment.

The only fruit of the suggestion made by the governor that he be repaid the money expended by him in the expeditions undertaken for the benefit of the country was the following sentence in that address: "As the account your honor hath given us of your many fatiguing journeys undertaken for the service of this government convinces us of your great diligence, so, Sir, we hope they will give you the satisfaction of reflecting that you have deserved the salary allowed by his majesty."⁴⁹

The recommendation of the governor that provision be furnished for his making a new treaty with the northern Indians was met by the declaration that as treaties with the Indians had always before been made by the governor and Council so the House was willing now to leave the transaction of that kind of business in those hands.⁵⁰

As for the instruction that the governor must not in the future sign any act affecting *British* shipping or trade until approved in *England*, it gave rise to an address drawn up by the House to the king humbly praying that the same liberty should be allowed his governor in signing bills as had before existed, since it frequently happened that emergencies demanded that laws be passed even on these subjects to go into effect at once. In this address was included a prayer that the governor in constituting the courts of oyer and terminer be instructed to choose only members of the Council.

In order that the address might be properly presented and that other affairs of the Colony might receive due attention, it was resolved that an agent be appointed. Accordingly, a bill was passed by the House and came very near passing in the Council, which, according to the account given of it by *Spotjwood* in his letter of *June 24, 1718*, to the Board of Trade, gave the House, without the concurrence of the Council, the

⁴⁸ See pp. 201, 203, 204.

⁴⁹ See p. 213.

⁵⁰ See p. 199.

power to name this agent, to change him when it saw fit, and to fix his salary; and when this bill was finally rejected by the Council, the House by its own resolution appointed Colonel *William Byrd*—Colonel *Byrd* was at that time in *England*—agent for the Colony. A committee, appointed to draw up instructions to the agent, reported the following, which were adopted: "You are desired to lay before his majesty the address of the House of Burgesses and to negotiate that affair to effect.

"The House have thought fit to send their Journal for your perusal; and in case any misrepresentation should be made of their proceedings, you are desired to have regard to their honor."

The second instruction clearly shows that the House was growing suspicious of the governor.

The recommendation of the Board of Trade that the Indian Company be repaid the money it had expended in the interests of the Colony, was effective to the extent of causing the House to agree to refund to the company the £100 the company had paid toward the construction of the magazine, and, as already stated, the repayment of the money expended in caring for the *Catawba* hostages from the date of the publication of the repeal of the Indian trade law.

To dispose of the surplus in the treasury the House passed a rather remarkable bill in some of its features, which, however, was accepted by the Council. This was that £8,000 be put out at interest, a wise provision in itself, seeing that currency was entirely too scarce in the Colony to permit with complacency the thought of this large amount's being locked up and kept out of circulation; but only one-half of this was to be put out at interest by the treasurer. The other half⁵¹ was to be put out at interest by Mr *Archibald Blair* at the rate of four per cent, two per cent of the interest being allowed Mr *Blair* for his trouble in making the loans and in consideration of the fact that he should be liable for all bad debts. If the bill was drawn in strict accordance with the resolution calling for it, it allowed Mr *Blair* to use this money in his own business at 2% interest. Mr *Blair* was, according to *Spotswood*, a partner of his brother—Commissary *Blair*—and Colonel *Philip Ludwell* in the conduct of one of the largest mercantile establishments in the Colony. But *Spotswood* says that one of the clauses of the bill provided that unless he lent the money he was to pay no interest at all. Thus his firm would be allowed the use of this large sum of public money with no *quid pro quo* whatever. But this was not all. *Spotswood*, in his description of the bill, adds the following sentence: "And as this money, being once placed in his hands by Act of Assembly, could not have been called out of his hands but by the same authority, and as there is in the Council a great majority of the relations of those gentlemen [Col. *Ludwell*, Commissary *Blair* and Mr *Blair*], should they have refused their concurrence to the recalling that money, it must remain in his hands without any interest to the country as long as they pleased." The governor therefore determined to reject the bill. He did not find this necessary, however, for the bill, though it passed both houses, was not presented to him for his signature.⁵²

Another method, however, hit upon for putting a part of the money into circulation was agreeable to all parties, and was embodied in a law. This was the method of giving £1,000 to *William and Mary College*. This act and the "Act for settling the fees of the secretary, county court clerks, sheriffs, coroners, and constables, and for ascertaining the fees of attorneys to be allowed in a bill of costs," which was a very beneficial act indeed, preventing extortion on the part of public officers by requiring the placing in the secretary's office, the county court rooms, and the clerks' offices schedules of the fees allowed by law, were the only two acts of importance passed, the other two which passed being private acts. No one of the four acts is given in full in *Hening*. A very good abridgement, however, of the two public acts is given, with the titles merely of the other two.

⁵¹ See p. 216.

⁵² See p. 200.

⁵³ Official Letters of Alexander Spotswood, II, 288.

Besides the bill for allowing the treasurer and Mr *Archibald Blair* to put out £4,000 each at 4% interest, there were three other bills passed by both houses which did not become laws. A bill for dividing *Westover* parish, *Spotswood* refused to sign on account of what seemed to him its unfairness. He refused to sign a bill for the better securing levies because it was so altered in its passage through the Assembly as to be distasteful to many who had voted for it, and because he thought, accordingly, that it might be passed in much better form at the following session. A bill in reference to the post office was not presented to the governor for his signature because it was known that he would not give it. The post office was a new institution entirely misunderstood by the people of *Virginia* at that time. Though established by the act of Parliament of the 9th of Queen *Anne*, the postal system would, according to *Spotswood*, have, so far as *Virginia* was concerned, been rendered entirely ineffective had this bill been permitted to become law.⁵⁴

Hoping that he would be able to prevail on the members of the Council to persuade the House of Burgesses to agree to make some provision for the payment of the expenses incident to making a treaty with the northern Indians at *Albany*, *Spotswood* adjourned the Assembly on May 30th to July 10th. On the very next day after the adjournment, however, the Council delivered its opinion that nothing further should at present be done with reference to these Indians⁵⁵. Hence *Spotswood* wished to prorogue the Assembly, but the Council maintained that it was not legal to prorogue an Assembly during a recess. Hence the Assembly was convened again on the 10th of July, and was duly prorogued to Thursday, the 7th day of August. *Spotswood* said in his closing speech that he did not think it prudent to prorogue them for a longer period when the northern Indians were on the frontiers threatening destruction to the tributaries.

Second Session.

It not having been found necessary because of the threatening Indian situation for the Assembly to meet on the seventh of August, the date to which it had been prorogued, the meeting did not actually take place till November the eleventh. The feeling entertained by the governor for the majority of the members of the House of Burgesses is clearly indicated by the fact that he did not open the session in the usual manner, by the delivery of an address, merely sending the House by the clerk of the General Assembly a message, instead, to the effect that he had nothing immediately to lay before it and that he therefore desired it to proceed with the consideration of such propositions and grievances as had been certified from the counties. Papers of this kind, however, were at this session extremely rare, nor were the claims presented numerous. So that at the beginning of the session it appeared as if it would be necessary for the Assembly to remain in session for only a few days and that little business would be done. The session, however, proved one of the most exciting that occurred in *Virginia* colonial history. For some of the members of the House of Burgesses had resolved, aided and abetted if not instigated by the Council, to make a determined effort to secure the removal of the lieutenant-governor. On November the twentieth, the ninth day of the session, when, according to *Spotswood*, many of the members had already gone home thinking that nothing remained to be done except the mere routine work, a member obtained leave to present an address to the king. This being read, its immediate consideration was resolved on. It was a request that his majesty would be graciously pleased to receive from the Honorable *William Byrd*, the agent of the House, particulars setting forth the reasons for the dissatisfaction of the House with the government of the Colony. Before the address was voted on, however, the proposed instructions to the agent were read, but no consideration of them in detail entered into, a method of procedure inveighed against by *Spotswood* as being irregular and unfair, as in his opinion was the entire course of his enemies in this transaction, since not only had the secrecy maintained by them in the earlier days of the

⁵⁴ Official Letters of Alexander Spotswood, II, 238.

⁵⁵ Official Letters of Alexander Spotswood, II, 280.

session as to their plan resulted in the absence of many of his friends when the matter was finally sprung upon the House—the records show that there were only thirty-seven members present, including the speaker, out of a total membership of the House of fifty-two⁵⁶—but adequate time for debate was not allowed.⁵⁷ However, when on the day following the adoption of the address to the king the instructions to the agent were taken up for consideration by the House, only six of the fourteen submitted were approved, and three of these in an amended form. Whereas in its first form the first instruction, which was not voted on in the House till the others had been disposed of, directed the agent to endeavor to secure the removal of the governor, the clause containing this direction did not appear in the final form, having been stricken out by the House. The wording of the second instruction was changed from, “That he hath by a sinister construction of our laws as much as in him lay perverted many of them . . .” to “That he has by a misconstruction of our laws as much as in him lay perverted many of them . . .” In short, *Spotswood*’s friends in the House rallied so effectively to his support that as finally adopted the instructions contained no charges of any very great gravity, the most serious one and the one probably most nearly susceptible of proof being the fourth, namely, that he had “by provoking speeches and messages abused the House of Burgesses, and thrown undeserved reflections upon them.” *Spotswood*’s manners to the House of Burgesses had, however, since 1715, when he had been advised by the Board of Trade on the subject, much improved, so that now he had probably more to complain of from the House of Burgesses on the score of bad manners than they had from him. He maintained in several of his letters to the Board of Trade that it was a part of the policy of his enemies in the House to adopt toward him such a manner as would be likely to provoke him into a display of temper. The other charges against the governor were trivial, amounting to no more than that the construction put by him on several laws of the Colony differed from that placed on them by many members of the General Assembly. Thus *Spotswood* had scored a success. He was so assured of a final verdict in his favor when the matter should be brought before the Privy Council, that he made a very singular offer to bet with his accusers a thousand pounds on the result.⁵⁸ The winner was, however, to pay the expenses of the prosecution of the case. Moreover, when the Colony at large is considered, it seems that the success of the governor may be looked upon as a decisive victory, for he was able to send to the Board of Trade addresses in his favor from the principal inhabitants of twenty-one out of the twenty-five counties in the Colony, from the grand jury of the Colony, which was a body of twenty-one of the most prominent citizens of *Virginia*, and from the clergy met in convention.⁵⁹ In fact, *Spotswood* felt strong enough to ask for the removal from the Council of the faction opposed to himself, whose members he confidently asserted were the instigators of the trouble in the House of Burgesses. It was the same faction, according to him, that had secured the removal of both Governor *Andros* and Governor *Nicholson*, and was bent on ruling *Virginia*. He had specially sought to get Commissary *Blair* into trouble with the clergy in convention and through them with the bishop of *London*,⁶⁰ hoping to have him deposed from the commissaryship and in consequence from the Council.

At this session of the Assembly only three laws were passed, only two of which are given in *Hening*—and these merely by title—namely, “An act for empowering the treasurer of this Colony to put out at interest a sum not exceeding ten thousand pounds now in his hands” and “An act for raising a public levy.”⁶¹ The first of these merely provided for getting into circulation the large surplus in the treasury, and was free

⁵⁶ See p. 228.

⁵⁷ For *Spotswood*’s views, see particularly his message to the House of November 28th, his speech at the close of the session, and his letter to the Board of Trade dated March 25th, 1719, on pp. 308–16 of Vol. II of *Official Letters of Alexander Spotswood*.

⁵⁸ See p. 240.

⁵⁹ *Official Letters of Alexander Spotswood*, II, 320.

⁶⁰ *Perry’s Historical Collections of the American Colonial Church, Virginia*, p. 199 ff.

⁶¹ *Hening*, IV, p. 76.

from the objectionable features characterizing the bill for the same purpose passed by both branches of the General Assembly at the preceding session but not signed by the governor, and the second was merely the usual revenue act. To the third law passed, however, namely, "An act to encourage the apprehending and destroying of pirates," a very great degree of interest attaches. It was the outcome of a special message sent to the House on *November 13* by the governor and Council in reference to the depredations on commerce recently committed by pirates, and was put through both houses with commendable speed, receiving the governor's signature on the 24th, when the excitement in reference to the charges made by the House against the governor was at its height. In the presence of an acknowledged need animosities had been temporarily laid aside. It was in accordance with the provisions of this law that the rewards were paid to Lieutenant *Maynard* and his gallant crew for the killing of Captain *Teach* and many of his desperate followers and the capture of others. This noted action had taken place, indeed, on the 22nd of *November*, two days before the bill had been finally passed, but so confident had *Spotswood* been that the House would in this respect do what was asked of it that he had felt warranted when *Maynard's* expedition was being organized in promising to the volunteers suitable rewards.

At this session the House of Burgesses endeavored to secure to Colonel *William Byrd* payment for his services as agent by having the amount (£300) which had been voted him by the House inserted in the book of claims. The Council readily agreed. The governor, however, refused his assent, sending the House an able message setting forth his reasons, and signed the book of claims with the distinct understanding that this item should be excepted. In this action is seen a very early illustration of what might be called "the discriminative veto."

Another measure that the House desired to get through at this session was "An act declaring who shall bear office in this country." This bill was passed by both the House and the Council, but failed to receive the signature of the governor. A law very similar had been passed in 1705, which in 1715⁶¹ had been disallowed by the Privy Council because one of its provisions was that no one should hold office in the Colony unless he had resided there for at least three years. *Spotswood* refused to sign the bill, since it rested, as he maintained, under the same objections as the law which had been repealed. In describing the bill to the Board of Trade he said that its design was to exclude from office all persons recommended from *England*.⁶² In refusing to sign it *Spotswood* was but following his instructions.⁶³

The proceedings against *Spotswood* met with little favor in the sight of the Board of Trade, and the law officers of the crown decided in his favor the various questions of law involved in the disputes.⁶⁴ But the final word on the subject had not been spoken by the Board when on *April 29, 1720*, a resolution was proposed in a meeting of the Council in *Virginia* and adopted that the strife between the two factions should be brought to an end and that they should agree "to act for the future as cordial friends in the administration of the government." *Spotswood* readily assented.⁶⁵ Both *Spotswood* and the Council wrote letters to the Board of Trade conveying this happy intelligence, and on *June 15* the Board of Trade sent a communication addressed to the governor and his Council expressive of the greatest satisfaction at the turn which affairs had taken. It thus seemed that the vexatious disputes had been ended.

⁶¹ Sainsbury Abstracts, III, 442. [These abstracts are in manuscript volumes in the Virginia State Library.]

⁶² Sainsbury Abstracts, III, 746.

⁶³ See p. 244.

⁶⁴ Sainsbury Abstracts, III, 758 ff.

⁶⁵ Sainsbury Abstracts, III, 808, 809.

The Assembly of 1720-22.

First Session.

OF the Assembly of 1720-22 there were two sessions, the first beginning the 2nd of *November*, 1720, and ending *December* 23rd, and the second beginning *May* 9th, 1722, and ending *June* 7th. Mr *Daniel McCarty*, speaker of the House at the preceding session, had not been returned by the sheriff of *Westmoreland* as elected to this Assembly,⁶⁷ and when on the first day of the session it became necessary for the House to choose a speaker, of the two candidates, Mr *John Holloway* and Mr *John Clayton*, both able men, the former was successful. Mr *Holloway* by means of successive re-elections was continued in this important position for fourteen years. He was far from being a friend of Governor *Spotswood's*, having in 1718 been, as he claimed, removed by *Spotswood* from the position of judge of the court of vice admiralty,⁶⁸ and was then seeking re-appointment at the hands of the Lords of the Admiralty. Mr *John Clayton*, an abler man and, according to *Spotswood*, a more honest one, had been appointed to succeed Mr *Holloway* on the bench. It is significant at any rate that Mr *Holloway* was chosen, a result suggesting a doubt that the pacification brought about between the two factions in the Colony was anything more than superficial. However, the governor, in his opening speech, laid stress on the proofs he had given of his disposition toward harmony and expressed the earnest desire that nothing more might be heard in *Virginia* of the "country's friends" and the "governor's friends" as designations of antagonistic parties. As for legislation, he merely gave a list of subjects on which it seemed to him that the attention of the General Assembly might well be engaged, these being the defenseless condition of the harbors and the frontiers of the Colony, the disarmed condition of the militia, the inconvenient size of several of the counties, the advisability of extending the settlements of *Virginia* to the mountains, and the advisability of entering into a treaty with the Five Nations.

The session was distinguished as one at which a great deal of hard work was done. public business, owing to the bickerings of the immediately preceding Assembly, having greatly accumulated. The peace which had been declared between the two factions, although it may not in reality have been characterized by sincerity, assured the transaction of this business without unseemly interruptions. Mr *John Clayton*, the defeated candidate for the speakership, was made chairman of the most important committee of the House, that of propositions and grievances, and to his lot fell the duty of writing the address of the House in reply to the governor's opening speech, a duty which he performed in his most graceful and satisfactory manner.

The matters suggested to the House by the governor for its attention were all carefully considered and most of them disposed of. It was represented to his majesty that a naval force was the best defense of the harbors of the country, and request was made that such ships of war as should in the future be sent over as a protection to the coast should be put under the immediate control of the governor of the Colony.⁶⁹ For the security of the frontiers and the extension of the settlements to the frontiers, a bill was passed erecting two new counties, *Spotsylvania* and *Brunswick*, the inhabitants of which were to be armed at public expense, and made free of public levies for ten years. *Spotsylvania* county was to extend across the *Blue Ridge* Mountains so as to contain in its limits the northern pass through the mountains, and similarly *Brunswick* was to extend

⁶⁷ After a very close contest, however, Mr. McCarty was, late in the session (Dec. 8), declared by the House to have been elected. A very interesting question decided in this case was whether the House had the right on a complaint of an undue election to inquire into the freehold of the electors. Another was whether in an election contest it was competent for the justices of the peace of the county to take the depositions. Both questions were decided in the affirmative.

⁶⁸ Official Letters of Alexander Spotswood, III, 353.

⁶⁹ See p. 261.

sufficiently far to the west to include in its limits the southern pass,⁷⁰ it being supposed in those days that these were the only two passes in *Virginia* through the mountains. In an address the king was requested to secure at these two passes the erection of strong forts, which were to be maintained by the crown and garrisoned each by a company of *English* troops. His majesty was also petitioned to encourage further the settlement of these two counties by remitting for ten years the payment of quit rents.⁷¹ This request was finally in part agreed to by the *English* government. By an order in council dated *August* 6, 1723, it was promulgated that the Lords Justices in Council were pleased to grant a remission of the quit rents and all purchase rights for seven years from *May* 1, 1721, the time the two counties were first laid out, with the restrictions that no person possessed of land in any other part of *Virginia* should be permitted to take up land without continuing to pay quit rents for the land already owned by him, and no person or family was to be allowed to take up more than one thousand acres. As for the inconvenient length of some of the counties, acts were passed for dividing *Richmond* and *New Kent* counties, whereby *King George* and *Hanover* were formed, and an act was passed adding a part of *James City* county to *Charles City*. The erection, also, of the two new counties of *Spotsylvania* and *Brunswick*, though the motive was primarily the desire to secure the frontiers, served at the same time the purpose of rendering the counties from which these were formed more convenient in size. With the same general object in view of making the local divisions of the Colony more convenient for their inhabitants, several acts were passed for dividing parishes or for rectifying their boundaries⁷²—matters which had for years been causes of contention both in the parishes and in the General Assembly. It was resolved that the disarmed condition of the militia be referred to the consideration of the next session of Assembly.

The preliminary articles proposed by the governor to be conceded by the Five Nations before any formal negotiations for a new treaty should be entered into were voted absolutely essential, and the governor was advised not to treat with the Indians till they assented to them.⁷³ These preliminaries had been communicated, on special request, to the House some days after the opening of the session. In course of time they were, after the Five Nations had assented to them, embraced in the act passed at the next session of Assembly (1722), entitled "An act for enforcing and rendering more effectual the treaties already made, or hereafter to be made, with foreign Indians," which act was agreed to by the Five Nations at *Albany* in *September* 1722. These preliminaries, the object of which was to prevent the Indians of the Five Nations and the Indians tributary to the government of *Virginia* from coming into any contact with each other, were merely the agreement on the part of the Five Nations that none of the members of their tribes should cross the *Potomac* River to the east of the *Blue Ridge* Mountains or traverse the territory of *Virginia* to the east of these mountains without a passport from the governor of *New York*, and that, on the other hand, no Indians of any tribe tributary to the government of *Virginia* should be allowed, without a passport from the governor of *Virginia*, to go beyond the *Potomac* River or into the country west of the *Blue Ridge* Mountains.

Of the acts passed in reference to other matters than those in the list to which the governor called the attention of the Assembly only three need special comment. The first of these had the title "An act for the better discovery and securing his majesty's quit rents." Its principal feature was that it empowered the sheriffs of the counties to designate certain places where by a fixed date payment of quit rents had to be made. In this respect it seems to have been an improvement on the law already in existence. Its other provisions seem also to have been eminently sensible.⁷⁴ On the ground, however, that it had a tendency to diminish the revenue and weaken the process of the crown

⁷⁰ Hening, IV, 77-79.

⁷¹ See p. 271.

⁷² Hening, IV, 94, 95.

⁷³ See p. 274.

⁷⁴ Hening IV, 79, 80.

in the recovery of forfeitures and arrears, it was disallowed by order in council in 1723.⁷⁵ The second act, entitled "An act explaining, and further declaring, what shall be accounted a sufficient seating and improvement to save lands from lapsing; and for the better recovery of lands lapsed from persons living out of the country,"⁷⁶ made still more liberal than did the act of 1713 the conditions absolving the patentee of land from further work upon it to prevent its lapsing, in that it stipulated that the clearing and fencing of three acres of the land for pasturage would save fifty from lapsing, as would the expenditure of ten pounds current money in making any improvements whatever. The third act, "An act to empower *Henry Cary*, gentleman, to finish the house of the governor of the Colony and Dominion of *Virginia*," was intended to settle finally the misunderstanding between the governor and the House of Burgesses over the erection of the governor's house. It was determined by a committee what amount would be needed to finish the building, as well as the amount that the governor had advanced out of his private purse on its construction. The former amount was appropriated by the act, and the latter was by resolution refunded the governor out of the money in the hands of the treasurer.

There were eighteen acts in all passed, of which six are given in full in *Hening* and abridgements of two others. The remaining ten are given only by title.

There was one question in reference to which the governor and the majority of the members of the two houses could not agree, namely, the appointment of a special agent to work for the granting of the requests made of the crown by the General Assembly, or, to use the language of the times, "to solicit the affairs" of the Colony in *Great Britain*. The Council and the House—only a bare majority of the latter, however, the speaker having cast the deciding vote—thought that it would be a wise step to secure for the purpose the services of Colonel *William Byrd*, who was just about to start for *England* on private business, and it seems that *Spotswood* had in conversation expressed himself as favorable to the plan. However, when the resolution came up for his official approval, he proposed the amendment, that the instructions to be given the agent should be signed by the governor and that Colonel *Byrd* should be required to give his bond to the governor not to meddle in *Great Britain* with any other affairs of the government of *Virginia* than those mentioned in the instructions.⁷⁷ The amendment, which shows that *Spotswood* had become suspicious, was rejected by the House. The argument carried on between the House and the governor in messages and addresses was a dignified one, however, and did not endanger the general harmony; so that in his closing speech *Spotswood* was able to express his satisfaction at the work of the session, and the hope that at the next meeting they "should accord still more and more in their sentiments." In a letter to the Board of Trade⁷⁸ he spoke of the appointment of *Byrd* as being the only matter which had been the occasion of any difference.

Second Session.

In his speech at the opening of the second session of the Assembly the governor stated that the Assembly had been called together in order to see what means might be concerted for the encouragement of the people of *Virginia* in the production of all kinds of naval stores, since he had understood that the king had proposed and the *English* Parliament had resolved to enter upon measures for rendering the colonies still more useful to their mother country. He also informed the Assembly that the Five Nations of Indians had agreed to the preliminaries declared essential by the Assembly at the preceding session, and he hoped that now commissioners of distinction would be appointed to negotiate a treaty with the Indians at *Albany*. He supposed the supply asked for on this account would be the more readily granted from the money in the hands of the treasurer when the House considered the size of the expenditure

⁷⁵ Sainsbury Abstracts, III, 84.

⁷⁶ *Hening*, IV, 81-83.

⁷⁷ See pp. 299, 300, 308, 309, 313, 314.

⁷⁸ Sainsbury Abstracts, III, 141.

from the money in the hands of the receiver-general which by the unanimous advice of the Council had been made in erecting batteries for the security of the rivers and harbors of *Virginia* against the desperate pirates who, having a little time before destroyed the shipping in *Trepassy Bay* in *Newfoundland*, threatened to do the same in *Virginia*. The expenditures for this purpose and for holding in the past few years extraordinary courts for the trial of pirates had constituted such a drain on the established revenue that the expense of negotiating the intended treaty would have to be borne in large part by the money in the hands of the treasurer. The proposal for erecting a lighthouse at *Cape Henry*—which had been discussed at the preceding meeting of the Assembly—had been communicated to the government of *Maryland*. He closed by recommending that a quarantine measure be passed which would be effective in preventing the spread to *Virginia* of the plague, then raging in some parts of *Europe*. The papers showing what had been done in the matter of the proposed Indian treaty and the reply of the Assembly of the province of *Maryland* to the proposal for a lighthouse at *Cape Henry* were sent to the House on the same day with the delivery of the opening address.

After an exhaustive consideration of the governor's speech the House adopted on *May 17* resolutions which resulted in the passage of "An act for encouraging the making of tar and hemp,"⁷⁹ whereby appropriations of £1200 and £4000, respectively, were made from the money in the hands of the treasurer, for the payment of suitable premiums on the exportation of tar and hemp made in *Virginia* according to the directions of a recent act of Parliament having the title "An act giving farther encouragement for the importation of naval stores;" "An act for enforcing and rendering more effectual the treaties already made, or hereafter to be made, with foreign Indians," already described in the account given above of the proceedings of the House at the preceding session, at the same time an appropriation being made by joint resolution of the two houses of £1000 to enable the governor to conduct the negotiations at *Albany* in an effectual manner and one suitable to the dignity of the Colony; and "An act to oblige ships coming from places infected with the plague to perform their quarantine," whereby power was given the governor to adopt at any time such rules, with the advice and consent of the Council, as might seem necessary for the accomplishment of the end desired.⁸⁰

It was also resolved⁸¹ that the answer from the province of *Maryland* in reference to the proposed *Cape Henry* lighthouse was not sufficiently encouraging to induce the House to treat with that province further upon the subject. It was further resolved that no bounty be given upon iron cast in the Colony. From this resolution it would appear that the governor and his friends had endeavored to have a bounty put on the exportation of iron castings, the product of *Spotswood's* furnaces, the only ones in the Colony, probably on the plea that certain castings might be considered as coming under the broad head of naval stores. How far the resolution reflected the feelings of the House toward the governor and how far the honest convictions of the members as to the desirability of the measure, it is impossible to say. Certainly, judging from *Spotswood's* speech at the close of the session and from his letter of *June 11, 1722*, to the Board of Trade, he bore the House on this account no ill will that he was willing to allow to find expression. In this letter he refers to the "perfect harmony" prevailing in the government and in the country, and says that the "angry proceedings of the Assembly in 1718" were "balanced by their good agreement in 1722." His whole administration of twelve years had been approved by both houses of the Assembly; so that he hoped any former imputation upon his conduct might be set down by the members of the Board of Trade as the "effects of private passion."⁸²

The governor's description of the harmonious feeling prevailing is warranted by the Journal; for the various addresses, messages, and speeches of the session are

⁷⁹ Hening, IV, 96-99.

⁸⁰ Hening, IV, 99-103.

⁸¹ See p. 330.

⁸² Sainsbury Abstracts, III, 37.

models of courtesy, and in more than one piece of business transacted matters were amicably arranged which for years had been causes of contention. Chief among these were the signature by the governor of the resolution passed by the House and the Council to pay Col. Byrd the £300 salary as agent first voted him in 1718⁸³ and, on the other hand, the agreement of the House to the suggestion of the Council to pay Governor *Spotswood* the amount expended by him in his trip to *New York* in 1717 for the purpose of consulting with the governor of that colony on the subject of the Five Nations, and to give him a further sum in consideration of his recent diligence and success in bringing the Indians to assent to the preliminaries insisted on by the House at the preceding session—the whole aggregating £300.⁸⁴ The greatest compliment paid the governor, however, was the insistence by the House and the Council that he himself should go to *Albany* to negotiate the treaty with the Indians, in the address of the two houses to the governor the following language being used: "From the experience of near twelve years of your honor's administration we are very sensible of your great application and discerning judgment in all the concerns of government; and as we have observed more particular skill and dexterity in your managing the Indian affairs, we think it will greatly conduce to the establishing an honorable and lasting peace if your honor will be pleased to preside in the negotiations at *Albany*, by which they will be under the influence of your more immediate directions. And as we believe it will redound so much to the safety and honor of this country, we hope your honor will gratify our unanimous desire."⁸⁵ The whole work of the session and the spirit exhibited throughout seem beyond doubt to justify this language used by the governor in his closing speech: "Such concord and application to business, such good temper and generous disposition, and such deference to a governor's recommendation have been manifested in this session of Assembly that I cannot in justice part with you without rendering my public acknowledgment, and for my own particular must return you my thanks for what you have voted in consideration of my journey to *New York* in the year 1717, not so much valuing the quantum you have given as the regard you have now shewn to my services in those days."

In due time *Spotswood* journeyed to *Albany* and transacted the important business which had been entrusted to him. He did not return to *Virginia* till the latter part of *October*. In the meantime he had been superseded as lieutenant governor of the Colony by Colonel *Hugh Drysdale*, who had arrived in *Virginia* on the 25th of *September*. *Drysdale's* commission had been signed on *April* the third, more than a month before the convening of the General Assembly in the last session which it was to hold under *Spotswood's* administration.⁸⁶

⁸³ See pp. 335, 352.

⁸⁴ See p. 343.

⁸⁵ See p. 347.

⁸⁶ The cause of *Spotswood's* removal from office has been very vaguely set forth by writers on the subject. There have stated, one following another, that his downfall was finally compassed by his old antagonists in *Virginia*, principally by the redoubtable Commissary Blair, that surplined Warwick who had already been the chief agent in the overthrow of Andros and Nicholson. This view, however, does not seem to be correct. The serious differences between *Spotswood* and the members of his Council had been composed, each side promising that if in the future complaints were to be made to the authorities in England the other was to have full notice and a copy of the papers containing the charges. Commissary Blair, as a member of the Council, was a party to this agreement, and it is unlikely that he sought to infringe it, as he must have done had he appeared as an accuser against *Spotswood* before the Board of Trade. The Board of Trade papers—that is, the Sainsbury Abstracts of them in the *Virginia State Library*—do not indicate that he thus appeared, though he was in England at the time of *Spotswood's* removal. It had already been agreed that the question as to the right of presentation to benefices should be left to the adjudication of the courts, and a resolution had been adopted by the General Assembly and assented to by the governor appropriating money to pay the costs of the proceedings (p. 301, 307). The more reasonable explanation of the removal seems rather to be found in the displeasure of the Board of Trade and the Lords Justices of the Council at the way in which *Spotswood* had permitted the land in the new county of *Spotsylvania* to be entered for patent. Individuals had been given the right to patent vast tracts, *Spotswood* himself through others coming into possession of thousands of acres. When the Lords Justices of the Council issued their order that the payment of the quit rents on lands in the new county be remitted for seven years, they directed that not more than one thousand acres be allowed to any one person or family. It is true that much of the land owned by *Spotswood* in *Spotsylvania County*

The more important of the acts arising not from recommendations of the governor but from the various propositions and grievances and petitions submitted by the people were, "An act for the further improving the staple of Tobacco;" "An act for amending the act concerning servants and slaves; and for the better government of convicts imported; and for the further preventing the clandestine importation of persons out of this Colony," which from the references made to it in the Journals and in the papers of the Board of Trade—it is not given in full in *Hening*—seems to have been a wise law, rendered necessary by the hardened condition of many members of the classes to which it applied, but which, nevertheless, after a hearing before the Board of Trade at which appeared a representative of the *English* Company engaged in transporting convicts to *America*, the Board of Trade having decided that some of the clauses of the act laid importers of convict persons and the purchasers of them under such difficulties that the several laws for the transportation of felons from *Great Britain* would be obstructed, was repealed by an order in council dated *August* 27, 1723,⁸⁷ which was proclaimed in *Virginia* on the 18th of the following *January*;⁸⁸ and "An act for punishing mutinous and disobedient seamen, and for the more speedy determination of controversies arising between the crews," whose provisions, reflecting the spirit of the age, were found to be sufficiently effective to cause the retention of the law unamended in the revision of the laws taking place in 1733.

At this session of the Assembly sixteen acts were passed, of which seven are given in full in *Hening* and the remaining nine only by title.⁸⁹ The membership of the House, owing to the addition of the members from the two new counties of *Hanover* and *King George*, numbered fifty-six.

had been patented several years before the law was passed for the erection of the county, and that the rest, with the large tracts allowed to others, had been patented shortly after its passage, some time before the order in council was issued—the law erecting the counties was passed Dec. 23, 1720, and the order in council was not signed till Aug. 6, 1723—still the members of the English government, when it was first brought to their notice that the governor had granted to individuals large tracts of land in the new county, must have looked upon Spotswood's course as open to grave objections. Spotswood was removed more than a year before the order in council was promulgated, but the question of the remission of the quit rents had been under consideration by the Council for some time before the removal.

The question as to the cause of the removal can be conclusively settled only after a study of the unpublished papers in the English Public Record Office. The Sainsbury Abstracts, in the Virginia State Library, mainly abstracts of Board of Trade papers, are not sufficient. Nor are the abstracts of the Privy Council papers now being published in the set of volumes bearing the title "Acts of the Privy Council—Colonial Series."

⁸⁷ Sainsbury Abstracts, III, 86.

⁸⁸ *Hening*, IV, 106.

⁸⁹ *Hening* IV, 96—117.

Assembly of 1723-1726.

First Session.

OF the Assembly of 1723-26 there were two sessions, the first lasting from May 9th, 1723, through June 20th, and the second from May 12th, 1726, through June 7th. This was the only Assembly of the administration of Governor *Hugh Drysdale*, that very popular and efficient governor dying not long after the close of the second session. The membership of the House for both sessions of this Assembly numbered fifty-eight, *Spotsylvania* being now added to the list of counties having representatives. *Brunswick* was not yet represented. *Williamsburg*, having been granted a charter as a city, was represented by one member. *William and Mary College*, however, had no representative. Mr *John Holloway* was again chosen speaker, and later, by act of the Assembly signed by the governor, appointed treasurer.

In his courteous and dignified opening address Governor *Drysdale* laid before the Assembly the matters appearing to him to be worthy of consideration. Merely hinting that the funds in the hands of the treasurer had been so nearly exhausted by the various useful expenditures made from them that possibly the Assembly might think it necessary to lay import duties as formerly on some of the commodities coming into the country, he recommended that laws be passed for the more adequate punishment of insurrectionary slaves and for putting the militia into a better condition. Both these recommendations were the result of the recent discovery of an intended insurrection among the slaves of a certain section of the Colony. He also called attention to the languishing condition of the tobacco trade induced by the frauds and abuses that had crept into it, suggesting that he should be glad to co-operate if the Assembly could find some expedients likely to remedy the evils. He closed with expressions of congratulation that what he termed an "unnatural rebellion" against the king of *England* should by discovery have been rendered abortive. This was the plot for the overthrow of the king in which the bishop of *Rocheſter* with several others had been engaged in 1722. So few people were implicated in this plot and it was so little formidable, judging from all that may now be learned of it, that the designation of it by the governor as a "rebellion" appears to be an illustration of extreme exaggeration. It is interesting, however, as showing the nervousness of all in official circles in the reign of *George I*, for it had not been by any means decided whether the House of *Hanover* or the House of *Stuart* was permanently to possess the *English* throne. It was immediately resolved, *nemine contradicente*, by the House that an address be prepared thanking the governor for his "affectionate and obliging" speech to the Assembly and that "an humble address" of congratulations be conveyed to his majesty the king "on the seasonable discovery of the late dangerous conspiracy against his person and government." The two addresses were quickly prepared, the one to the governor being ready for delivery the following day, and the latter—in which the Council joined—being handed to the governor on the last day of the session for transmission to *England*, where it added one more to the avalanche of patriotic addresses that had been received from all parts of the *British* dominions.

All the matters referred to by the governor in his speech received adequate attention. For securing ample revenue for all the needs of the Colony which should be met by the payment of money in the hands of the treasurer, as distinguished from that in the hands of the receiver-general, the "Act for laying a duty on liquors and slaves" was passed. The duty laid on rum, brandy, and other distilled spirits, and on wine, was four pence a gallon; on cider, beer, and ale, one penny; on slaves, forty shillings each.* The duties were to be paid by the importers. For this reason, violent opposition to the act was expressed by the merchants in *England*, especially by the *Royal*

* See p. 379

African Company. It was pointed out in the hearings given on the act by the Board of Trade that the duty would surely be shifted to the buyer, but it was maintained in reply that even if this were true the enhancement of the price of slaves would cause a much smaller number to be purchased, which would be a detriment, not only to the company, but also to the Colony, since the latter needed for its rapid expansion westward every slave that could be procured.⁹¹ The final result was that the act was repealed by order in council of April 30, 1724,⁹² which was proclaimed in *Virginia* on Oct. 27 of the same year.⁹³

The "Act for the settling and better regulation of the militia"⁹⁴ was a most important measure, stipulating that all free white male persons in the Colony between the ages of twenty-one and sixty, with a few exceptions, should be liable to military duty, that arms and ammunition were to be provided by each militiaman, and that general county musters should be held at least once a year and company drills at least four times a year. It also provided for penalties to be imposed on those failing to attend to their prescribed duties. The law was undoubtedly an improvement on the law for which it was substituted, but it lacked much of being an adequate one, being particularly defective in the requirement that each man furnish his own arms and in the provisions in reference to drills and musters. It did not result in the formation of an efficient militia. As a companion measure to the militia law was passed "An act for reviving the act entitled an act for security in times of danger." This was simply the revival of the act of 1712, which has been referred to in the account given of the proceedings of the House of Burgesses at the first session of the Assembly of 1712-14.⁹⁵

The other permanent law resulting from the scare in reference to the outbreak of the slaves referred to in the governor's opening speech was "An act directing the trial of slaves committing capital crimes, and for the more effectual punishing conspiracies and insurrections of them, and for the better government of negroes, mulattoes, and Indians, bond or free."⁹⁶ It provided for the special trial, by courts to be when occasions arose specially commissioned for the purpose, without the formality of a jury, of slaves committing such offences as by law were punishable with death, the act itself putting into this class of offences the conspiracy of any company of slaves, above the number of five, to rebel or make insurrection or to commit murder. In these trials the testimony of negroes, mulattoes, or Indians, whether bond or free, was to be considered competent, those proved afterwards to have testified falsely being subject to the severest penalties. Owners of slaves were allowed to appear in their defense, but—a very wise provision—when slaves should be condemned according to this law, their owners were to be indemnified by the public. Unlawful meetings of slaves were defined, and penalties placed on the masters of slaves suffering them to be present, as also on white persons, free negroes, mulattoes, or Indians attending such unlawful meetings or harboring slaves guilty of offenses. Such were the principal provisions of the most important act passed at this session of the Assembly, an act found sufficiently effective to cause its retention, unamended, for many years to come. The slaves suspected of being engaged in the conspiracy which caused the alarm resulting in the passage of the three acts just referred to could not be legally convicted under the law as it then was, the testimony of negroes not being allowed in the courts. For this reason it was necessary to pass a special act providing that they be sent to the *West Indies* and sold.⁹⁷ The conspiracy of the negroes *Dick*, "*Dambara*" *Tom*, *Sancho*, *Ijaac*, *Jeffery*, and *Robin*—such were the names of the ones transported—had the further effect of causing the passage of a resolution ap-

⁹¹ Sainsbury Abstracts, III, 108-113.

⁹² Sainsbury Abstracts, III, 125.

⁹³ Henning, IV, 113. This act is not given in full in Henning, since it did not become a permanent law and is not therefore contained in the collection of laws in force in 1733. Henning's principal source for all the laws of this period. The non-appearance in Henning of many of the other laws is to be explained in the same way.

⁹⁴ Henning, IV, 118-126.

⁹⁵ See above.

⁹⁶ Henning, IV, 126-184.

⁹⁷ See pp. 367, 368, 395.

appropriating one hundred pounds in the hands of the treasurer for the repair of the arms in the magazine and the governor's house. All the transactions of the Assembly show that the alarm was widespread and genuine.

Most of the other acts passed at this session of the Assembly were local or private acts. Of those that were public acts, the "Act for the better and more effectual improving the staple of tobacco" (rendered advisable by the frauds which had crept into the tobacco trade since the repeal in 1717 of the great tobacco law of 1713), whose provisions may be only guessed at, proved of little value. It remained in effect only till the 10th of August, 1725. It was, however, continued, with amendments, in 1727, only to be repealed by the General Assembly in 1730 as having been found by experience to be inconvenient,⁹⁸ and to be replaced by the tobacco law passed that year, which, amended from time to time, became possibly the most important law on the *Virginia* statute books. The "Act for the better securing the payment of levies, and restraint of vagrant and idle people, and for the more effectual discovery and prosecution of persons having bastard children" was made to be temporary in its action, but was in 1727, with amendments, made permanent.⁹⁹ The "Act appointing a treasurer, and empowering him to receive the moneys in the hands of the late treasurer," by which Mr. *John Holloway*, speaker of the House, was appointed treasurer in the place of *Peter Beverley*, esquire, and the "Act for raising a public levy" were necessarily temporary acts. The first of them was similar to a measure usually passed whenever a new speaker of the House was elected and sometimes, as at the next session of this Assembly, when a new revenue law was passed, and the second was similar to an act usually passed each session. Owing to the peculiar conditions existing in the later years of *Spotswood's* administration, however, no election of treasurer had taken place since 1710. The "Act for enlarging the jurisdiction of the court of hustings in the city of *Williamsburg*" gave to the court (composed of the mayor, recorder, and aldermen) the power to regulate ordinaries and public houses, to hear and determine complaints of masters, servants, and apprentices, and to examine persons suspected of having committed any capital crime or other offense triable in the General Court or courts of oyer and terminer. The act also erected *Williamsburg* into a separate militia district. Of the fifteen acts passed in all, only four are given in full in *Hening*.

At this session of the Assembly the House in two interesting cases asserted its power in no uncertain manner to care for the liberties of the people and to uphold its own dignity. The first case was that of Colonel *Joseph Smith*, already referred to. In *Spotswood's* time complaint had been made of Colonel *Smith* to the House that his conduct as a militia officer, sitting as a member of a court martial, was unreasonably harsh, and contrary to the true intent of the law. After examination, the House had drawn up an address to the governor, stating that the complaint seemed well founded and asking that he, as commander-in-chief, show in some decided manner his displeasure at the proceedings. To this, *Spotswood* made reply that he would investigate the proceedings of the court martial and withdraw his commission from such officers as should appear to be transgressors.¹⁰⁰ *Spotswood* did not have time to carry out his promise before being removed from office. Col. *Smith* was one of the justices of the peace of *Essex* county, as well as the commander of the militia, and when just before the meeting of the Assembly of 1723 a session of the county court of *Essex* was held for the certification of grievances to the Assembly, he refused to sign a paper of this nature in reference to his conduct as a member of the court martial, on the ground that it was false. After he left the bench, there was no quorum. Thus the same question was presented as in the famous *Littlefield* and *Butts* case of 1715, namely, whether a justice of the peace had the right to judge of the truth or falsity of the contents of a paper setting forth a grievance presented to a court. The House, after a full hearing of the case,

⁹⁸ *Hening* IV, 241.

⁹⁹ *Hening*, IV, 247-271.

¹⁰⁰ See *Journals of the House of Burgesses of Virginia, 1727-1734, 1736-1740*, pp. 27, 52; *Hening*, IV, 208-214.

¹⁰¹ See pp. 346, 347.

in which Col. *Smith* was represented as counsel, with the permission of the House, by *John Randolph*, clerk of the House, decided that Colonel *Smith* was "guilty of a breach of his duty" and had "intrenched upon the rights and privileges of the people."¹⁰² He was, by order of the House, reprimanded by the speaker, and discharged from custody on the payment of fees. The other case was that of *William Hopkins*, charged with uttering in a public company "rude, contemptuous, and indecent" expressions concerning the conduct in the House of Burgesses of Mr *Matthew Kemp*, and thus committing a breach of privilege.¹⁰³ Called to the bar of the House and examined, he was adjudged guilty. When he was again called into the House to hear its decision, his manner was judged so insolent by the House that he was ordered to withdraw. It was then resolved that he should be brought to the bar and compelled upon his knees to ask the pardon of the House and of Mr *Kemp*. This he flatly refused to do. It was finally ordered that he should be led through the town, in custody of the messenger, by the door-keepers of the House, attended by the constables of the town, from the capitol to the college gate and back again, with the following inscription in large letters pinned upon his breast: "For insolent behaviour at the bar of the House of Burgesses, when he was there as an offender, and with obstinacy and contempt disobeying their order;" and in case he should refuse to walk, that he should be tied to a cart, drawn through the town and afterwards committed to the public jail in *Williamsburg*, there to be kept during the pleasure of the House. Brought by this order to an appreciation of the gravity of the situation, he sent in a paper to the House expressing his sorrow for his offense and praying mercy. He was conducted to the bar and compelled to repeat, upon his knees, a form of apology drawn up for him; after which he was discharged from custody upon the payment of fees.

Second Session.

The first session of this Assembly had come to an end on *June 20, 1723*, the Assembly having been prorogued on that day to meet the seventh of *November* of the same year. By successive prorogations, however, it came together for its second session only on *May 12, 1726*, the governor explaining in his opening speech that these prorogations were partly due to his desire to save expense after such a loss as the country had suffered from a violent storm which had greatly injured the crops the preceding year, and partly to the fact that he had heard of no grievances in the country calling for the attention of the General Assembly; indeed, it was only because the public claims could not be paid, according to the constitution of the country, till passed upon by the General Assembly, that it was necessary even then to call that body into session. The only two matters of public business to which he called the attention of the Assembly were the imposition of a duty on liquors only, since the law passed at the last session laying a duty on both liquors and slaves had been repealed in *England* and at the same time a liquor tax recommended, and the very great desirability of voting an additional grant toward the support of *William and Mary College*. The state of his health, the governor announced, made it necessary for him to make a voyage to *England*, whence he intended, however, to return very shortly. While there it would give him the greatest pleasure "to serve so loyal, peaceable, and kind" a people as he had found during his administration the people of *Virginia* to be.

On account of the governor's enfeebled condition and his desire to set out for *England* as soon as possible, the General Assembly at this session, even at the risk of some inconvenience to the people of *Virginia* from the failure to consider questions of importance brought to the Assembly's attention in various petitions and grievances, put off till the following session the consideration of many matters, and handled with such expedition those that could not reasonably be postponed that the session lasted five days less than a month, coming to an end on the 7th of *June*. In this short period of time, however, a great deal of work was done. In addition to the many petitions, propositions, grievances, and claims which were considered by committees of the House

¹⁰² See pp. 371-373.

¹⁰³ See pp. 381 ff.

and by the whole House, and several very important papers drawn up and passed by the House in the shape of addresses to the governor and an address and a representation to the crown—in the latter two papers and in one of the addresses to the governor the Council joining—no fewer than fourteen laws were passed, some of them of more than temporary interest. Exactly half of them are given in full in *Hening*,¹⁰⁴ and half merely by title. The first act passed, namely, "An act for laying a duty on liquors," with the second, "An act appointing a treasurer," was signed by the governor before the close of the session, in order, probably, that it might be certainly signed before the day set for it to go into effect, namely, the 10th of *June*. It was the same act which was passed at the former session of the Assembly, when of the session laying a duty on slaves imported, and having added a section to the effect that the sum of two hundred pounds per annum from the proceeds of the duty should be paid to the trustees of *William and Mary College*. The "Act appointing a treasurer" merely named *John Hollo-way* treasurer of the funds arising from the enforcement of the first law, fixed his salary and his bond, and provided how any vacancy occasioned by his death, departure from the Colony, or other legal disability, should be supplied. The next act, namely, "An act to repeal the act entitled an act directing the manner of levying executions and for relief of poor prisoners for debt and one other act to explain the said act, and to declare the law concerning executions and for relief of poor prisoners for debt," whose lumbering title, in the unpunctuated text, it is difficult to understand, gave the various legal forms to be used in cases of executions for debt and the whole law and procedure in such cases and in cases of imprisonment for debt. This act marked in the main a return to the *English* laws on the subject, the special *Virginia* acts having been found to be ineffective or even mischievous. The "Act for amending the act concerning servants and slaves, and for the further preventing the clandestine transportation of persons out of this Colony," was the only bill proposed by the Council at this session which became a law, the other bill proposed not having been accepted by the House. Its object was to deal in an effective way with runaway negroes and other servants, so as to secure their prompt return to their masters. The "Act for the more effectual preventing the bringing tobacco from *North Carolina*, and the bounds in controversy" was necessary because at that time, it seems, the planting and packing of tobacco were under no restriction whatever in *North Carolina*, and much inferior tobacco from that province was brought into *Virginia* and shipped as *Virginia* tobacco, to the great injury of the reputation of *Virginia* planters. The territory in dispute between *Virginia* and *North Carolina* should not, according to the agreement in reference to the question, have had any settlers in it at all, but it had been found impossible to keep them out, and they, too, were now sending inferior and fraudulently packed tobacco into *Virginia*. Fortunately, the dispute as to the boundary between *Virginia* and *North Carolina* was soon to come to an end, the line being settled upon by commissioners in 1728. The other acts passed at this session are not of great importance, and are sufficiently explained in their titles, with the exception of the act having the title "An act for reviving and continuing two acts of Assembly therein mentioned." The two acts revived and continued related to the defense of the country in times of danger, and were repealed by the last section of the "Act for making more effectual provision against invasion and insurrections" passed in 1727.¹⁰⁵

At this session of the Assembly there were no unseemly disputes between the Council and the House and no occasion for the latter to assert its rights and privileges. Harmony everywhere prevailed. The serjeant-at-arms of the House, an officer making his appearance for the first time, was not called upon to make any unusual arrests or to attend to any except the merest routine duties. He was an appointee of the governor.

The address to the king congratulated him on his escape from shipwreck on his last trip from *Hanover* to *England*, prayed that his majesty would be graciously pleased, following the illustrious example set by *William and Mary*, to contribute funds towards

¹⁰⁴ *Hening*, IV, 143-181.

¹⁰⁵ *Hening*, IV, 175, 197-204.

the completion of the endowment of *William and Mary College*, and expressed great sorrow at the illness of Governor *Drysdale* and the hope for his speedy recovery. The representation set forth at great length the details of a case in which the judgment of the General Court in *Virginia* had been reversed, on appeal, by the Privy Council in *England*. This was the case of the executors of *Micajah* and *Richard Perry*, merchants of *London*, against the executors of Colonel *William Randolph* for the recovery of a debt of considerable magnitude which had, it was alleged, been accumulating for many years. The judgment of the General Court was in favor of the defendants. When the case reached the Committee for Appeals of the Privy Council, this court referred all account books, letters, papers, and writings bearing on the case to special commissioners. These having in due time reported, and all parties having been heard, the Committee recommended that the judgment of the *Virginia* court be reversed, and that judgment be entered for the appellants in £2,460 damages, to be recovered from the assets of the late Colonel *William Randolph*, and £10 costs, to be recovered, if possible, from those assets, otherwise from the property of the respondents, and it was so ordered. Complaint was made in the representation that insurance and interest had been calculated by the commissioners in a way unheard of in *Virginia*, and that the commissioners had not been required to take oath. Moreover, being merchants, they were necessarily favorable to the interests of one of their class. If the custom were to grow up of conducting appeals in this way, the king's subjects in *Virginia* would be liable to whatever charges and impositions with which their factors and correspondents in *Great Britain* might think fit to load them. Therefore his majesty was besought to establish for the future such a regular method of examining the judgments given in the highest court of the Colony as would ensure to his majesty's subjects the enjoyment of trials according to the laws and customs of *England*.¹⁰⁶

In his closing address Governor *Drysdale* promised that he would transmit to the king at the earliest opportunity the address and the representation, and expressed his gratification at the dispatch with which the work of the session had been done, with his peculiar pleasure at the readiness and unanimity shown by the Assembly in voting assistance to *William and Mary College*. Governor *Drysdale* did not set out for *England* immediately on the prorogation of the Assembly, his health having shortly before improved to such a degree that he hoped that the voyage would prove unnecessary. He, however, died in *Virginia* on the 22nd of July.

¹⁰⁶ See pp. 422-424; Acts of the Privy Council of England, Colonial Series, 1720-1745, p. 71.

JOURNALL

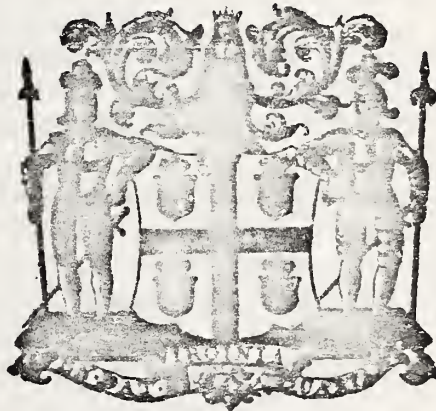
OF THE

HOUSE OF BURGESSES.

AT A

GENERALL ASSEMBLY,

Begun at her Majesty Queen ANN'S Royal
Capitol the Twenty Second Day of *October*
in the Eleventh year of the Reign of our
Sovereign Lady ANN, Queen of *Great Brittain,*
France & Ireland, Anno^q Domini 1712.



RICHMOND, VIRGINIA.

MCMXI

JOURNALL

of the

HOUSE OF BURGESSES.

Wednesday October the 22th 1712.

DIVERS Burgeffes to the Number of Forty Nine having taken the Oaths by Law appointed and Subscribed the Test did meet in the House

Robert Buckner Gentleman having taken the Oaths by Law Appointed and Subscribed the Test was by Vertue of a Commiffion from the Honourable the Liev^t Governour Sworn Clerk of the House of Burgeffes And Admitted to his place in the House accordingly

A Meflage from the Honourable the Liev^t Governo^r by *Mr Robertfon*
Gentlemen of the House of Burgeffes

The Governour Commands your Immediate Attendance on him in the Council Chamber. Accordingly the Burgeffes went to Attend the Governo^r and he was pleased to Say to this Effect

Gentlemen

I am very well pleased to See the Representatives of the people So Ready to meet me here on the day Appointed This Seems to be the greateft Appearance that hath been on the First day of an Affembly. I have nothing more to tell you at present than that You proceed to the choice of a Speaker

And thereupon the Burgeffes being Returned proceeded to the Choice of a Speaker And after the Nomination of two perfons and Some time Spent therein did Chooſe *Mr Peter Beverley* for their Speaker who was by two Members Conducted and placed in the Chair

Ordered That *Mr William Robinson Mr Armstead Mr Nicholas Meriwether Mr Christopher Robinson Mr Waller Mr Barbar Mr Bolling Mr Littlebury Epes Mr Bird Mr ffitzhugh Mr ffancis Epes and Mr Neal* do Attend the Governour and Acquaint him that the House have made Choyce of a Speaker And to know his pleasure when the House shall wait on him to present him

Then the House Adjourned Till To Morrow Morning Ten a Clock

Thursday October the 23th 1712.

MR *William Robinson* Reported that the perfons appointed had (according to Order) waited on the Governour and Acquainted him that this House had made Choice of their Speaker And that they waited his pleasure to know when they Should present him.

A Meflage from the Honourable the Liev^t Governo^r by *Mr Robertfon*—
Mr Speaker and Gent^{ls} of the House of Burgeffes

The Governour Commands the Immediate Attendance of this House on him in the Council Chamber. And accordingly the House went to Attend the Governour And
 being

being Returned Mr *Speaker* Acquainted the House to this Effect. That he had Represented to the Governour That the House had been pleased to make Choice of him to be their Speaker. Whereupon the Governour was pleased to Say That he was So Sincerely Disposed to Concur with the House of Burgeffes in every matter which in Justice and Conscience he might that he could not but Approve of the Choice they had made of him to be their Speaker. And that thereupon in the Name of the Burgeffes he humbly moved that all the Ancient Rights and priviledges of the Burgeffes might be Continued to this Affembly That they and their Servants in their persons and Estates might be free from Arrests and other Disturbances That in all their Debates they might have freedom and liberty of Speech And as Occasion requires Access to his Honours person. And that thereupon his Honour was pleased to Say that all due Rights and priviledges belonging to this House should be Confirmed and Continued unto them. After which Mr *Speaker* further Acquainted the House That the Governour was pleased to make a Speech of which having a Coppy he would Read it as it was which being Read is as followeth

Gentlemen of the Council and House of Burgeffes

I shall in a few words Declare to you the Chief Occasion of my calling you now together. Tis to Discharge the Publick Debts: Debts which when cleared will not make your Countrey One shilling the poorer Seeing they are due to none but the present Inhabitants of this Colony And for that reason methinks you Should be as uneasy as my Self So long as they remain unsatisfied

This I am Sure is as Just a Proposition And as Generall a Grievance as you can come charged with from the people: And how heartily Soever I may Recommend it to you I am perswaded that every near Witness of my Actions is fully Satisfied that no Self Interest moves me to plead for the Publick Creditors

The glorious and Advantagious Peace which you have So fair a Prospect of being Shortly happy in will I hope Incline you to pay of with Alacrity a few inconsiderable Debts And I should be glad the first business you Sat about to Dispatch was this particular For Such a Just beginning would give me hopes of a good Issue of this present Session of Yours

Ordered That the Said Speech do Ly upon the Table

Thomas Francis Edward Dyer Andrew Elmse and George Rimington praying to be Admitted Door keepers to the House

Ordered That they be accordingly Admitted And that they give their Respective Attendance on the House this Session

Ordered That the House be called over as often as shall be thought convenient And that those Members who Shall be wanting in their Duty of Attendance be Lyable To the Censure of the House

Resolved and Accordingly *Ordered*

That it be a Standing Rule of this House that Fifteen Members with the Speaker Shall be a Sufficient Number to Adjourn

A Committee for Elections and Priviledges

Mr *William Robinson* Chairman

Mr *Cary* } Mr *Allerton*
Mr *Nicholas Meriwether*

Ordered That Mr *Miles Cary* be Clerk of the Committee for Elections and Priviledges and give his Attendance Accordingly

A Committee for Publick Claims

Mr *Buckner* Chairman

Mr *Ball* Mr *Christopher Neale*

Mr *Eskridge* Mr *Littlebury Epes*

Mr *John Robinson* Mr *Armistead*

Mr *Fox* Mr *Marable*

Mr *Barber*

The Petition of *Mr Miles Cary* praying to be Admitted Clerk to the Committee of Claims being Read

Ordered That he be Admitted Clerk to the Said Committee And that he give his Attendance accordingly

A Committee for Propositions and Grievances

Mr Holloway Chairman

Mr William Robinson.....*Mr Allerton*

Mr Cary.....*Mr Bolling*

Mr Christopher Robinson.....*Mr Waller*

Mr Nicho Meriwether.....*Mr Francis Meriwether*

Mr Willson.....*Mr Tully Robinson*

The House being Informed by Some of the Members thereof that *Mr Clayton* is willing to Serve as Clerk to the Committee for Propositions and Grievances Therefore

Ordered That he be Clerk to the Committee for Propositions and Grievances And that he give his Attendance accordingly

Ordered That the Committees have power to adjourn themselves *De Die in Diem* And to send for present Records Journals and other Papers they shall from time to time have Occasion of

Resolved and accordingly *Ordered*

That all Propositions Grievances and Publick Claims be brought into the House on *Thursday* next at furthest Or not to be Received in this Session of Assembly without particular Leave of the House

Ordered That the Clerk of the House Publish the furthest Time Set by the House for Receiving Propositions Grievances and Publick Claims during this Session by Setting up a fair Copy of the Resolve of the House made in that behalf

Ordered That the Committee of Propositions and Grievances Inspect the Journals of this House at the last Session And Report to the House what they find Necessary to be taken into Consideration this Session

Ordered That the Committee for Publick Claims Inspect the Report of the Committee of Claims at the last Session and Report to the House what they find Necessary to be further Considered this Session

Resolved and Accordingly *Ordered*

That all Petitions Propositions and Grievances Directed for the last Session of Assembly And not then Considered be Admitted to the Consideration of this Session

Ordered That the Clerk of the House Deliver to the Chairman of the Committee for Elections and Privileges the Severall Writts for Election of Burgesses which shall come to his hands And that the Said Committee take into their Consideration the Severall Returns thereon And make Report of their proceedings and Opinions therein to the House

Vpon the Petition of *Benjamin Goodwin* Clerk praying to be Admitted Chaplain to this House

Ordered That he be accordingly Admitted and Attend each Morning in the Conference Room by Nine of the Clock During this Session And Read Divine Service

Severall Propositions and Grievances from the County's of *Middlesex York* and *Surry* being read

Ordered That the Consideration of the Said Propositions and Grievances be Referr'd to the Committee of Propositions and Grievances to Report their Opinions therein

A Commission from the Honourable the Liev^t Governour to *Mr Francis Tyler* to be Messinger to the House was Read

Robert Napier his Claim for himself and Eleven Rangers from Henrico County was presented to the House And being Read was Referr'd to the Consideration of the Committee for Publick Claims to Examine the Subject Matter thereof And Report the Same with their Opinion therein to the House

Severall

Severall Publick Claims from the Countys of

York *Prince George* and

Middlesex *Effex*

Were presented to the House and Referr'd to the Consideration of the Committee for Publick Claims to Examine the Subject Matter thereof And Report the Same with their Opinion therein to the House

Resolved That the House will take the Governours Speech into Consideration to Morrow Morning

And then the House Adjourned Till to Morrow Morning Ten a Clock

Fryday October the 24th 1712

MR *William Robinson* from the Committee of Elections and Priviledges Reported that the Said Committee had taken into Consideration the Severall Returns on the Writts Comitted to them and therein had Come to Severall Resolutions which he Read in his place And then Delivered them in at the Table where being again Read the House took the Same into Imediate Consideration and with an Amendment Agreed to the Said Report as followeth

Resolved That Mr *John Bolling* and Mr *Francis Epes Junior* are duely Returned Burgeffes to Serve in this present Generall Assembly for the County of *Henrico*

Resolved That Mr *Edward Goodridge* and Mr *John Hamblin* are duely Returned Burgeffes to Serve in this present Generall Assembly for the County of *Prince George*

Resolved That Mr *John Simons* and Mr *William Grey Jun^r*. are duely Returned Burgeffes to Serve in this present Generall Assembly for the County of *Surry*

Resolved That Mr *Joseph Godwin* and Mr *William Bridger* are duely Returned Burgeffes to Serve in this present Generall Assembly for the County of *Isle of Weight*

Resolved That Mr *Thomas Godwin* and Mr *William Wright* are duely Returned Burgeffes to Serve in this present Generall Assembly for the County of *Nansemond*

Resolved That Mr *Maxmilian Boush* and Mr *Thomas Walk* are duely Returned Burgeffes to Serve in this present Generall Assembly for the County of *Princes Ann*—

Resolved That Mr *William Armistead* and Mr *Nicholas Curle* are Duely Returned Burgeffes to Serve in this present Generall Assembly for the County of *Elizabeth Citty*

Resolved That Mr *William Harwood* and Mr *William Cary* are duely Returned Burgeffes to Serve in this present Generall Assembly for the County of *Warwick*

Resolved That Mr *Edward Jaquelin* is duely Returned a Burgefs to Serve in this present Generall Assembly for *James Citty*

Resolved That Mr *George Marable* and Mr *Henry Soane Jun^r* are duely Returned Burgeffes to Serve in this present Generall Assembly for the County of *James Citty*

Resolved That Mr *Samuel Harwood* and Mr *Littlebury Epes* are duely Returned Burgeffes to Serve in this present Generall Assembly for the County of *Charles Citty*

Resolved That Mr *Nicholas Meriwether* and Mr *John Stanup* are duely Returned Burgeffes to Serve in this present Generall Assembly for the County of *New Kent*—

Resolved That Mr *Henry Fox* and Mr *John Waller* are duely Returned Burgeffes to Serve in this present Generall Assembly for the County of *King William*—

Resolved That Mr *John Holloway* and Mr *William Bird* are duely Returned Burgeffes to Serve in this present Generall Assembly for the County of *King and Queen*

Resolved That Mr *Peter Beverley* and Mr *Mordicai Cook* are duely Returned Burgeffes to Serve in this present Generall Assembly for the County of *Gloucester*

Resolved That Mr *Christopher Robinson* and Mr *John Robinson* are duely Returned Burgeffes to Serve in this present Generall Assembly for the County of *Middlesex*

Resolved That Mr *Francis Gouldman* and Mr *Francis Meriwether* are duely Returned Burgeffes to Serve in this present Generall Assembly for the County of *Effex*

Resolved

Resolved That Mr *William Robinson* and Mr *William Thornton* are duely Returned Burgeffes to Serve in this present Generall Assembly for the County of *Richmond*

Resolved That Mr *John Waugh* and Mr *Henry Fitzhugh* are duely Returned Burgeffes to Serve in this present Generall Assembly for the County of *Stafford*

Resolved That Mr *William Bull* and Mr *Edwin Conway* are duely Returned Burgeffes to Serve in this present Generall Assembly for the County of *Lancaster*

Resolved That Mr *Richard Neal* and Mr *Christopher Neal* are duely Returned Burgeffes to Serve in this present Generall Assembly for the County of *Northumberland*

Resolved That Mr *Tully Robinson* and Mr *Richard Drummond* are duely Returned Burgeffes to Serve in this present Generall Assembly for the County of *Accomack*

Resolved That Mr *William Waters* and Mr *Charles Floyd* are duely Returned Burgeffes to Serve in this present Generall Assembly for the County of *Northampton*—

And upon Consideration of the Report of the Committee upon the Return of the Writt for the Election of Burgeffes in the County of *Yorke*

A Debate Arising. The Question was put

That the Sheriff of the Said County of *York* be Sent for in Custody of the Messinger of the House to Amend the Said Return—

Resolved in the Affirmative and Therefore

Ordered That the Sheriff of the County of *York* be Sent for in Custody of the Messinger of the House to Amend his Return made on the Writt for Election of Burgeffes for the Said County of *York* And that Mr *Speaker* Issue his Warrant accordingly

Resolved That the Return of the Writt for Election of Burgeffes in the County of *Norfolk* is not made according to Law. Therefore

Ordered That the Sheriff of the Said County of *Norfolk* be Sent for in Custody of the Messinger of the House to Amend his Return made on the Writt for Election of Burgeffes for the Said County And that Mr *Speaker* Issue his Warrant Accordingly

Upon a Motion made

Ordered That the Said Warrant Do not Issue Till *Tuesday* morning next

And upon Consideration of the Report of the Committee That it is the Opinion of the Said Committee That for as much as the Sheriff of the County of *Westmoreland* hath not Signed the Return of the Writt for Election of Burgeffes in that County That he be Sent for to Amend his Return. After a Debate

Resolved That the Report of the Said Committee be Agreed to with Amendment and Therefore

Ordered That the Sheriff of the Said County of *Westmoreland* be Sent for in Custody of the Messinger of the House to Amend his Return made on the Writt for Election of Burgeffes for the Said County And that Mr *Speaker* Issue his Warrant Accordingly

Upon a Motion made

Ordered That the Said Warrant Do not Issue untill this day Fortnight

Severall Publick Claims from the County's of

Stafford *King William*

Surry and

Nanfemond *New Kent*

Were presented to the House and Refer'd to the Consideration of the Committee for Publick Claims to Examine the Subject matter thereof And Report the Same with their Opinions therein to the House

Severall Propositions and Grievances from the Countys of *King William* and *Nanfemond* being Read

Ordered That the Consideration of the Said Propositions and Grievances be Refer'd to the Com^{tee} of Propositions and Grievances to Report their Opinion therein

The Petition of *Peter Jones* in behalf of himself and the Rangers under his Command in the County of *Prince George* Praying to be Allowed their Claims (being Read) was Refer'd to the Committee for Publick Claims to Examine the Subject matter thereof and Report the Same with their Opinion therein To the House

The

The Petition of *William Edmonds* Appointed Liev^t of the Rangers for *Surry County* Praying to be Allowed for Severall Services in the Said Petition mentioned (being Read) was Refer'd to the Committee for Publick Claims to Examine the Subject Matter thereof and Report the Same with their Opinions therein To the House

The House (according to Order) proceeded to the Consideration of the Governours Speech which being Read and Some Time Spent in Debate

Resolved That a Suitable Address to the Governour be prepared to Acquaint him that this House will proceed with all Convenient Dispatch upon the matters Recommended in the Said Speech

Ordered That Mr *William Robinson* Mr *Francis Meriwether* and Mr *Eskridge* prepare and bring in the Said Address

And then the House Adjourned Till To Morrow Morning Ten a Clock

Saturday October the 25th 1712

MR *William Robinson* Reported from the Committee appointed to draw up an Address (upon the Resolution yesterday) to be presented to the Governour That they had drawn up an Address accordingly Which he Read in his place And afterwards Delivered in at the Table where the Same was Read and agreed to by the House And is as followeth—

To the Honourable Alexander Spotswood Esq^r her Majesties Liev^t Governor of Virginia

May it please your Honour

We her Majesties most Loyall and Dutifull Subjects the Burgeffes Assembled beg Leave to Represent to your Honour that We have had under our Consideration Your Honours Speech And that We shall proceed upon the matter Recommended therein with all Convenient Speed

We shall Justly Endeavor to Discharge and pay off all Such Debts as appear to be Due from the Country And no Inducement whatsoever shall Incline us to keep back one Penny thereof being Sincerely Desireous to Discharge the Duty of good Subjects and faithfull Representatives

Ordered That the Said Address be fairly Transcribed and Signed by Mr *Speaker*

Ordered That the Persons that prepared the Said Address Together with Mr *Waller* Mr *Walk* Mr *Tully Robinson* Mr *Joseph Godwin* Mr *Curle* Mr *Conway* Mr *Barber* Mr *Armistead* and Mr *Grey* present the Same to the Governor

Severall Publick Claims from the Countys of *Gloucester* and *James City* were presented to the House and Referr'd to the Consideration of the Committee for Publick Claims to Examine the Subject matter thereof and Report the Same with their Opinion therein to the House

The Petition of *William Randolph* for an Allowance for Four Copys of the Laws of the last Session of Assembly with Four Copys of the Journall of this House at both Meetings of that Session delivered to the Governor As also a Copy of the Said Laws Sent to the Secretarys Office And for his Service as Clerk to this House at both the Said Meetings And—

The Petition of *William Timson* to be Allowed for Attending the Three last Generall Courts and for Hanging *Elizabeth Gordon* being Severally Read

Ordered That the Consideration of the Said Petitions be Referr'd to the Committee for Publick Claims to Report their Opinions therein

Orders to be observed by the Members of the House of Burgeffes being Read and approved

Ordered That they Ly upon the Table for the Perusall of the Severall Respective Members as Occasion shall require

Mr *William Robinson* Reported That the Members appointed had according to Order attended the Governor and presented him with the Address this day Read and Agreed to by the House

A Publick Claim from the County of *King* and *Queen* was presented to the House and Referr'd to the Consideration of the Committee for Publick Claims to Examine the Subject matter thereof And Report the Same with their Opinion therein to the House

Severall Propositions and Grievances from the County of *King* and *Queen* being Read

Ordered That the Consideration of the Said Propositions and Grievances be Referr'd to the Committee of Propositions and Grievances to Report their Opinion therein

And then the House Adjourned Till *Munday* Morning Ten a Clock

Munday October the 27th 1712

SEVERALL Propositions and Grievances from the County of *Norfolk* being referr'd by the Governor and Council to the Consideration of this House were Read and Referr'd to the Consideration of the Committee of Propositions and Grievances to Report their Opinion therein

The Petition of *John Kimbrey* a Pentioner praying for his usuall Allowance of a Thousand pounds of Tobacco was Read and Referr'd to the Committee of Claims to Report their Opinion therein

The Petition of *James Adams* Shewing that he hath been Interpreter to the *Pamunkey* and *Chickahomony* Indians for Two years past and praying for Allowance for his Service being Referr'd by the Governor and Council to y^e Consideration of this House And

The Petition of *Christopher Smith* in behalf of himselfe and Eleven men more praying an Allowance for their Service of Ranging being Referr'd by the Governor and Council to the Consideration of this House were Severally Read

Ordered That the Consideration of the Said petitions be Referr'd to the Committee for Publick Claims to Report their Opinion Therein

The Proposition of *Peter Jones* by way of Petition being Referr'd by the Governor and Council to the Consideration of this House was Read and Referr'd to the Consideration of the Committee of Propositions and Grievances to Report their Opinion therein

A Petition of *William Manley* was presented to the House and Read praying that Leave may be given to bring in a Bill for Sale of a Certain Tract of Entailed Land Containing about Two thousand Two hundred Acres for the Enabling him to pay his Debts Contracted for the Support of his ffamily and Purchasing of Slaves And for Setling of Lands of greater Value [To wit] Sixteen hundred Acres which he is Seized of in ffee To the Same Uses

After a Debate and Some time Spent therein the Question was put That a Committee be appointed to Examine the Allegations of the Said Petition

Resolved in the Affirmative and Therefore

Ordered That the Consideration of the Said Petition be Referr'd to a Committee [To witt] Mr *Holloway* Mr *Eskridge* Mr *Allerton* and Mr *Nicholas Meriwether* and that they do Examine the Allegations thereof And Report the Same to the House

And then the House Adjourned Till to Morrow Morning Ten a Clock

Tuesday October the 28th 1712

SEVERALL Propositions and Grievances from the Countys of *Princess Ann* and *Northampton* being Read

Ordered That the Consideration of the Said Propositions and Grievances be Referr'd to the Committee for Propositions and Grievances to Report their Opinion therein

A Petition of *Henry Briggs* was presented to the House praying the usuall praying the usuall Allowance for Serving as Interpreter the last year past And

A Petition of *Charles Kimbalé* praying for Allowance as Interpreter being Referr'd by the Governor and Council to the Consideration of this House were severally Read

Ordered That the Consideration of the Said Petitions be Referr'd to the Committee of Publick Claims to Report their Opinion therein

Severall Publick Claims from the Countys of

Isle of Wight.....*Westmoreland* and

Princes Ann.....*Northampton*

Were presented to the House and Referr'd to the Consideration of the Committee for Publick Claims to Consider the matter thereof and Report the Same with their Opinion therein

The Messinger of the House upon the Warrant Issued by Mr *Speaker* [pursuant to an Order of this House] to take the Sheriff of *York* into his Custody to amend his Return of the Writt for Election of Burgeesses for the Said County made the Following Return
Viz

October the 28th

The within Warrant was Executed this day on the body of Mr *William Pinkethman* high Sheriff of *York* County but could not bring him before the House by reason of Sicknesh of body and not being able to Travell. Which Return was Read as also a Letter from the Said Sherrieff presented by one of the Members of the House Praying that the Said Return might be amended by one of his under Sheriffs at the Barr of the House. After a Debate the Question was put—

That the Said Sheriff Amend his Return by one of his under Sheriffs

Resolved in the Affirmative

And the House being Informed that one of the under Sheriffs of *York* attended at the Door and prayed to be Admitted to amend the Said Return

Ordered That the Said under Sheriff be brought into the House And that he be directed to Amend the Said Return who being brought in and having amended the Return of the Said Writt withdrew. And thereupon

Ordered That the Said Sheriff be discharged out of Custody paying fees

Mr *Holloway* from the Committee of Propositions and Grievances Reported that the Said Committee had taken into Consideration Severall of the matters to them Referr'd And therein had agreed upon Severall Resolutions which he Read in his place and then delivered them in at the Table where being again Read The House proceeded to the Immediate Consideration of the Said Report

And upon Consideration of the Report of the Said Committee made upon a Grievance from divers Inhabitants of the County of *Surry* Arising from the Trade Carried on with the Indians And praying that a Stop may be put to that Trade

The House agreed to part of the Report of the Said Committee And to part disagreed and Thereupon

Resolved That a Bill be prepared for the Redressing the Said Grievance

Ordered That it be Referr'd to the Committee of Propositions and Grievances to prepare and bring in the Said Bill

And upon Consideration of the Report of the Said Committee made upon the Grievance from the County of *York* Seting forth that the Constant practice of Striking Fish with Giggs [Except the Fish called old Wives for bait] is pernicious As also of the Grievance that the Inhabitants of Towns Suffer their Horses Cattle Sheep and Hogs to go at large

The House agreed to the Report of the Said Committee *Viz*

Resolved That the Said Grievances be Rejected

Vpon Consideration of the Report of the Said Committee made upon the Propofition from the County of *King William* that a Ferry be Setled by Law from Mr *Thomas Claibornes*

Claibornes over the River *Paumonkey* To Mr *Peter Tickles* in *New Kent*. After a Debate The Question was put—

That the Report of the Committee be agreed to

Resolved in the Affirmative. Therefore

Resolved That the Said Proposition be Rejected

Vpon Consideration of the Report of the Said Committee made upon a Proposition from the County of *King* and *Queen* Relating to the taking Timber for repairing Bridges or for making new Ones

The House agreed to the Report of the Said Committee *Viz*

Resolved That a Bill be prepared on the Said Proposition

Ordered That it be Referr'd to the Committee of Propositions and Grievances to prepare and bring in the Said Bill

Vpon Consideration of the Report of the Said Committee made upon a Proposition from the Said County That a Law be made to Ascertain the fees of Sheriffs and Constables

The House Agreed to the Report of the Said Committee *Viz*

Resolved That a Bill be prepared on the Said Proposition—

Ordered That it be Referr'd to the Committee of Propositions and Grievances to prepare and bring in the Said Bill

Vpon Consideration of the Report of the Said Committee made upon the Proposition from the Said County that Convenient Rolling Houses be appointed by Law

The House agreed to the Report of the Said Committee *Viz*.

Resolved That the Same ought to be provided for by a Bill to be prepared for that purpose

Ordered That it be Referr'd to the Committee of Propositions and Grievances to prepare and bring in the Said Bill

Vpon Consideration of the Report of the Said Committee made upon the Grievance from the Said County That 4000^{li} of tobacco is Ordered to be raised in the next Levy to Defray the Charge of Entertaining the Justices with a Dinner and Wine at every Court for One Year

The House agreed to the Report of the Said Committee *Viz*.

Resolved That Levying Tobacco for the purpose aforesaid is against Law.

Vpon Consideration of the Report of the Said Committee made upon the Proposition from the Said County That a Law be made to Impower the freeholders of the Respective Parishes in the Said County to Elect Vestry men once in every Seven years

After a Debate. The Question was put That the Report of the Committee be agreed to

Resolved in the Affirmative Therefore

Resolved That the Said Proposition be Rejected

Vpon Consideration of the Report of the Said Committee made upon y^e Grievance from the County of *Middlesex* Setting forth That the Vestry of y^e parish of *Christ Church* in the Said County have Ordered Three Churches to be built in the Said parish

The House agreed to the Report of the Said Committee with an Amendment

Resolved That the persons Subscribing the Said Grievance And the Vestry of y^e Said parish be heard on the Subject matter of the Said Grievance before this House And that the Said Subscribers have Notice thereof And that they give Notice to the Vestrymen

Ordered That the persons Subscribing the Said Grievance And the Vestrymen of the Said Parish be heard on the Subject matter of the Said Grievance before this House on this Day Seven night

Vpon Consideration of the Report of the Said Committee made upon the Grievance from the Said County That the Court of the Said County Do not Finish the Business of the Court Each Month

The

The Houfe agreed to the Report of the Said Committee *Vizt*

Resolved That the Said Grievance be Rejected

Vpon Confideration of the Report of the Said Committee made upon the Grievance from the Said County That Slaves are not better prevented from Running away and Doing Mifchief

The Houfe agreed to the Report of the Said Committee *Vizt.*

Resolved That the Said Grievance be Rejected

Vpon Confideration of the Report of the Said Committee made upon the Grievance from the Said County That the Law Declaring Slaves to be Reall Eftate is not better Explained

The Houfe agreed to the Report of the Said Committee *Vizt.*

Resolved That the Said Law be Repealed

Ordered That it be Referr'd to the Committee of Propositions and Grievances to prepare and bring in a Bill for Repealing the Said Law

Vpon Confideration of the Report of the Said Committee made upon the Grievance That the Forfeiture for the Concealing Tythables being all given to the Informer Frustrates the good intent of the Law

The Houfe agreed to the Report of the Said Committee *Vizt*

Resolved That the Said Grievance be Rejected

Vpon Confideration of the Report of the Said Committee made upon the Proposition from the Said County That better Methods be taken for providing for poor and Impotent people

The Houfe agreed to the Report of the Said Committee *Vizt*

Resolved That the Said Proposition be Rejected

And upon Confideration of the Report of the Said Committee made upon the Proposition from the Said County That better Convenience be made for Prifoners for Debt

The Houfe Agreed to the Report of the Said Committee *Vizt*

Resolved That the Said Proposition be Rejected

Vpon Confideration of the Report of the Said Committee made upon the Proposition from the Said County That the Allowances for the Attendance of Witneffes in County Courts And that the fees of Sheriffs County Court Clerks and Conftables may be Afcertained

The Houfe Agreed to the Report of the Said Committee *Vizt*

Resolved That the Matters Contained in the Said Proposition may be Properly provided for in a Bill to be brought in for Afcertaining the fees of Sheriffs and Conftables before Reported Therefore

Ordered That the Committee of Propositions and Grievances To whom it is Referr'd to prepare and bring in a Bill for afcertaining the fees of Sheriffs and Conftables So provide That the Matters Contained in the Said Proposition be provided for in the Said Bill

And then the Houfe Adjourned Till To Morrow Morning Ten a Clock

Wednesday October the 29th 1712

VPON a Motion made

Ordered That the Warrant to take the Sheriff of the County of *Norfolk* into Cuftody and him to bring before this Houfe to Amend his Return of the Writt for Election of Burgeffes in the Said County be Staid And that the Meflinger of the Houfe do not proceed upon the Said Warrant Till *Saturday* next

The Claim of *John Broadnax* keeper of the Publick Goal was prefented to the Houfe And Referr'd to the Confideration of the Committee for Publick Claims to Confider the Matter thereof And Report their Opinion therein

And then the Houfe Adjourned Till to Morrow Morning Ten a Clock

Thursday

Thursday October the 30th 1712

MR *Hollway* from the Committee of Propositions and Grievances Reported That the Said Committee had taken into Consideration Severall of y^e Matters to them Referr'd And therein had Agreed upon Severall Resolutions which he Read in his place And then Delivered them in at the Table where being again Read The House proceeded to the Immediate Consideration of the Said Report

And upon Consideration of the Report of the Said Committee made upon the Grievance from the County of *Nansmond* Setting forth that the Court house of the Said County is Situated in an Inconvenient place And praying the Same may be Removed

The House Agreed to the Report of the Said Committee *Vizt*

Resolved That the Persons Representing the Said Grievance The Justices and all others who Desire to Oppose the Removing of the Said Court House be heard before this House on the Matter of the Said Grievance

Ordered That the persons Representing the Said Grievance The Justices and all others who Desire to Oppose the Removing the Said Court House be heard before this House on the Eighth day of the next Session of Assembly

Vpon Consideration of the Report of the Said Committee made upon the Proposition from the Said County That the Line Dividing the Said County and the County of *Norfolk* may be Laid out and Ascertained

The House Agreed to the Report of the Said Committee *Vizt*

Resolved That it appearing that there is a Line already Set for Dividing the Said Countys The said Proposition be Rejected

Vpon Consideration of the Report of the Said Committee made upon the Grievance from the County of *King William* That there is not any Provision in the Land Law for Saving Lands from Lapsing for want of Seating and Planting or paying Quit Rents from Infants *Feme Coverts* Persons of unsound mind or out of y^e Country After their Severall Diffability's Removed

The House agreed to the Report of the Said Committee *Vizt*

Resolved That a Bill be brought in to prevent Land Lapsing from Infants for not Seating and planting or not paying Quit Rents Till Three Years after they come of Age

Ordered That it be Referr'd to the Committee of Propositions and Grievances to prepare and bring in the Said Bill

Vpon Consideration of the Report of the Said Committee made upon the Grievance from the County of *Norfolk* Concerning the proving and granting Rights for taking up Land

The House agreed to the Report of the Said Committee *Vizt*

Resolved That the Said Grievance be Rejected

Vpon Consideration of the Report of the Said Committee made upon the Proposition from the Said County that Incouragement be given for making Flax Hemp Cotton and Wool

The House Agreed to the Report of the Said Committee *Vizt*

Resolved That the Consideration of the Said Proposition be Referr'd to the next Session of Assembly

Vpon Consideration of the Report of the Said Committee made upon the Grievance from the Said County Relating to the fees taken by Escheators

The House agreed to the Report of the Said Committee *Vizt*

Resolved That the Said Grievance be Rejected

Vpon Consideration of the Report of the Said Committee made upon the Proposition from the Said County That Shingles of Cypress Tar and Plank may pass at certain Rates in Tobacco for the payment of County and Parish dues

The House agreed to the Report of the Said Committee *Vizt*

Resolved That the Said Proposition be Rejected

Vpon

Vpon Consideration of the Report of the Said Committee made upon the Grievance from the County of *Northampton* That old Iron is Transported out of this Colony
The House agreed to the Report of the Said Committee *Vizt*
Resolved That the Said Grievance be Rejected

Vpon Consideration of the Report of the Said Committee made upon the Proposition from the Said County That the County Court of every County should meet but once in Two months

The House Agreed to the Report of the Said Committee *Vizt*
Resolved That the Said Proposition be Rejected

And then the House Adjourned Till To Morrow Morning Ten a Clock

Fryday October the 31th 1712

MR *Armistead* moving for Leave to go into the Country for Recovery of his health Leave is accordingly given him—And

Ordered That he Attend the Service of the House on *Munday* next

The House being Informed that the Messinger had pursuant to Mr *Speakers* Warrant Taken into his Custody Mr *James Willson* Sheriff of the County of *Norfolk* to Amend his Return of the Writt for Election of Burgeesses for the Said County And that he Attended at the Door

Ordered That the Said Sheriff be brought into the House And that he be directed to Amend his Said Return who being brought in and having Accordingly Amended his said Return withdrew and thereupon

Ordered That he be Discharged out of Custody paying fees

Mr *Buckner* from the Committee of Publick Claims Reported that the Said Committee had taken into Consideration Some of the Matters to them Referr'd And had Come to Some Resolutions therein which were Received and Read After a Debate the Question was put

That the House proceede to the Immediate Consideration of the Said Report

Resolved in the Affirmative And Thereupon

The House Resolved it Self into a Committee of the whole House to Consider of the Said Report And after Some time Spent therein Mr *Speaker* Resumed the Chair And Mr *Buckner* Reported from the Committee the Resolutions they had Directed him to Report to the House which he Read in his place and afterwards Delivered in at the Table where the Same were Read and Agreed unto by the House And are as follow

Resolved That it is the Opinion of this Committee That the Claim of Mr *Nicholas Curle* of One hundred and Twenty One pounds Fourteen Shillings and Nine pence for Disbursements &c on the Spie Sloop *Fanny* and *Mary* appears to be a Just Claim

Resolved That the Opinion of this Committee That the Said Claim ought to be paid out of the Revenue Appropriated for the better Support of the Government of her Majesties Colony and Dominion of *Virginia*

Resolved That it is the Opinion of this Committee That the Claim of *Sufanna Allen* of One hundred pounds Fourteen Shillings and Eight pence for Dyeting Eighty one *French* Prisoners 53 Days And for Dyeting Twenty one Mariens Eight Days &c Appears to be a Just Claim

Resolved That it is the Opinion of this Committee That the Said Claim is no Country Charge

Resolved That it is the Opinion of this Committee That the Severall Claims made by the Militia of the Countys of *Prince George Surry* and *Isle of Weight* for their Respective Service at *Notoway Town* on Occasion of the Treaty with the *Tuscarora* Indians ought not to be paid

Mr *Curle* moving for Leave to be absent upon his extraordinary Occasions untill *Tuesday* next Leave is Accordingly given him

And then the House Adjourned Till To Morrow Morning Ten a Clock

Saturday

Saturday November the 1st 1712

THE Petition of *Xpher Smith* Liev^t of the Rangers in *King William County* praying to be Allowed for a House Loft in the Country's Service being Referr'd by the Governor and Council To the Consideration of this House was Read

Ordered That the Consideration thereof be Referr'd to the Committee for Publick Claims to Report their Opinion therein

Mr Nicholas Meriwether moving for Leave to bring in Some Claims from y^e County of *New Kent* Leave was accordingly given And the Said Claims being presented to the House were Referr'd to the Consideration of the Committee for Publick Claims to Examine the Subject Matter thereof And Report the Same with their Opinion therein to the House

A Written Message from the Honourable the Liev^t Governor by *Mr Robertson* *Mr Speaker and Gentlemen of the House of Burgeffes*

AMONG the Various measures taken for preventing all manner of Trade with the *Tuscarora* Indians Proclamations have been Issued Requiring the Rangers and Inhabitants of the Frontier Countys to Seize and Secure every one of that Nation that Should presume to come within the Inhabitants And Orders given at the Same Time to the Tributary Indians to Seize in the like manner all Such as should Resort to their Towns In pursuance whereof flour men One Woman and a Boy of the *Tuscarora* Nation were Soon after taken up by the Rangers of *Prince Georges County* And one Man by the *Notoway* Indians This was not done till the *Tuscaroras* had plainly discovered by Fourteen of their Nation Sent hither last *March* that they did not intend to perform any of their Engagements in the Treaty made with them in *December* preceding And that they had then warning given them what Treatment they were to Expect if they Offered to come any more into this Government before they had given Satisfaction required of them for the Massacre in *Carolina*: But notwithstanding this Declaration Some of them Ventured in hither in *August* under pretence of beging for a peace and for Liberty for Some of their great men to come to *Williamsburgh* to Conclude the Same upon terms of Delivering up the Chief Murderers and giving entire Satisfaction to *Carolina* they then left Two Hostages which were to Remain untill the Return of their Deputys and the performance of Some other Conditions which they have also broke One of those Hostages made his Escape And one of the Prisoners taken by the Rangers in Since dead The Rest of the Men Remain in the Publick Goal And as^t their Subsistance is a Charge to the Country I Shall be glad to know your Opinion what ought to be done with them after Such Repeated Breaches of the promise made by their Nation

November the 1st 1712

A: Spotswood

The Said Message being Read

Resolved That this House will on *Tuesday* next take the Said Message into Consideration.

A Member of the House moving for Leave to bring in a Claim of *Susanna Allens* Leave was accordingly given The Said Claim being presented to the House was Referr'd to the Consideration of the Committee for Publick Claims to Examine the Subject matter thereof And Report the Same with their Opinion therein To the House

Mr William Robinson Reported that the Committee of Propositions and Grievances had [according to order] prepared Two Bills The one to prevent Trade with Indians The other to Repeal an Act Entituled *an Act Declaring The Negro Mollatto and Indian Slaves within this Dominion to be Reall Estate* And the Same were Received and Read the first time and Ordered to be Read a Second Time

Vpon a Motion made by a Member of this House That the Laws that have any Relation to the Act Entituled *an Act Declaring the Negro Molatto and Indian Slaves within*

within this Dominion to be Reall Estate be Inspected and Examined The House Agreed to the Said Motion

Ordered That it be Referr'd to Mr Soane and Mr ffancis Epes to Inspect and Examine the Said Laws and Report what they shall think necessary thereupon
And then the House Adjourned Till Munday Morning Ten a Clock

Munday November the 3^d 1712

MR Soane Reported from the Committee to whom the Inspection and Examination of the Laws Relating to the Act Entituled *an Act Declaring the Negro Molatto and Indian Slaves within this Dominion to be Reall Estate* was Referr'd what they found necessary thereupon.

Ordered That the Said Report Ly upon the Table to be Considered as Occasion shall require

Mr Holloway from the Committee of Propositions and Grievances Reported That the Said Committee had taken into Consideration Severall of the Matters to them Referr'd And therein had agreed upon Severall Resolutions which he Read in his place and then Delivered in at the Table where being again Read the House proceeded to the Immediate Consideration of the Said Report

And upon Consideration of the Report of the Said Committee made upon The Proposition from the County of *Princes Ann* for Establishing the Militia of this Colony on a better foot then it now Stands and for providing the poorer Sort of people with Arms and Ammunition gratis

The House agreed to the Report of the Said Committee *Vizt*

Resolved That the Said Proposition be Rejected

Vpon Consideration of the Report of the Said Committee made upon the proposition from the Said County That their Court day may be Altered and appointed on the first *Wednesday* of every Month

After a Debate the Question was put

That the Report of the Committee be Agreed to

Resolved in the Affirmative And Thereupon

Resolved That the Said Proposition be Rejected

Vpon Consideration of the Report of the Said Committee made upon the Proposition from the Said County That the making of Flax Hemp Cotton and Wool may be Encouraged by Law

The House Agreed to the Report of the Said Committee *Vizt*

Resolved That the Consideration of the Said Proposition be Referr'd to the next Session of Assembly

Vpon Consideration of the Report of the Said Committee made upon the Proposition from the Said County That the rates of all the Commodities of the Product of this Colony may be Ascertained by Law

The House Agreed to the Report of the Said Committee *Vizt*

Resolved That the Said Proposition be Rejected

Vpon Consideration of the Report of the Said Committee made upon the Proposition from the Said County That no Witneses be Sumoned in any Cause Depending in any County Court before Issue Joyned on Writt of Enquiry awarded And that provision be made for taking the Testimony of Such Witneses as are about Departing the Colony

The House Agreed to the Report of the Said Committee *Vizt*

Resolved That the Said Proposition be Rejected

Vpon Consideration of the Report of the Said Committee made upon the Proposition from the Said County That the Sallary of Burgeffes And the Charge of Assembly's may
be

be paid in Money to be Raifed by Impositions and Duty's on Goods Imported from all places Except from *Europe*

The Houfe Agreed to the Report of the Said Committee *Viz*

Resolved That the Said Proposition be Considered at the next Session of Assembly.

Vpon Consideration of the Report of the said Committee made upon the Proposition from the Said County That an Address be made to her Majesty Concerning obtaining Certificates of Rights for Lands

The Houfe Agreed to the Report of the Said Committee *Viz*

Resolved That the Said Proposition be Rejected

A Bill to prevent Trading with Indians was Read the second Time And Severall Amendments were made by the Houfe to the Bill which being Twice Read were Agreed to by the Houfe

After a Debate the Question was put

That the Bill be Committed for further Amendments.

It passed in the Negative

Resolved That the Bill with the Amendments be Ingrossed

A Bill to Repeal an Act Entituled *an Act Declaring the Negro Molatto and Indian Slaves within this Dominion to be Reall Estate* was Read the Second Time and Committed And then the Houfe Adjourned Till To Morrow Morning Ten a Clock

Tuesday November the 4th 1712

THE Order of the Day being Read for the Houfe to take into Consideration the Governors Message Relating to the *Tuscarora* Indians now in the Publick Goal The house accordingly proceeded to the Consideration thereof And thereupon

Resolved That application be made to the Governor that he would be pleased to Acquaint the Houfe with the purport of the Proclamations mentioned in the Said Message As Also the Treatment they the *Tuscarora* Indians were to Expect if they Offered to come any more into this Government before they had given the Satisfaction required of them for the Massacre in *Carolina* in the Said Message likewise mentioned And that a Suitable Address to the Governor be prepared for that purpose

Ordered That Mr Soane Mr Allerton and Mr Holloway prepare and bring in the Said Address

Resolved That this Houfe will on *ffriday* next proceed to the further Consideration of the Said Message

Resolved That the Persons Subscribing the Grievance from *Middlesex* County [Setting forth that the Vestry of the parish of *Christ Church* in the Said County have Ordered Three Churches to be built] And the Vestry men of the Said Parish be heard before this Houfe to Morrow on the Subject matter of y^e Said Grievance

An Ingrossed Bill to prevent Trading with Indians was Read the third Time After a Debate upon the Question

Resolved That the Bill do pass

Ordered That the Committee that prepared the Said Bill do carry the Same to the Council And Desire their Concurrence thereunto

And then the Houfe Adjourned Till To Morrow Morning Ten a Clock

Wednesday November the 5th 1712

A PETITION of Mr *Secretary Cock* praying to be Allowed for Twenty Seven Writts issued out of his Office for Election of Burgeses to Serve in this present Generall Assembly being Referr'd by the Council to the Consideration of this Houfe was Read

A Petition of *Chichley Corbin Thacker* praying to be allowed his usuall Allowance for Publick Services as being Clerk of the Generall Court and Secretary's Office—being Referr'd by the Council to the Consideration of this House was Read

A Petition of *Bridget Minittree* Executrix of *David Minittree* Deceased praying to be Allowed for Smiths work done for the Country's use by the Said Deceased in his life time being Referr'd by the Governor and Council To the Consideration of this House was Read

Ordered That the Consideration of the Said Petitions be Referr'd to the Committee of Claims To Report their Opinion therein to the House

Mr *Soane* Reported that the persons appointed had [according to Order] prepared an Address to the Governor which he Read in his place And then Delivered in at the Table where the Same was Read and Agreed to by the House And is as followeth

To the Honourable Alexander Spotwood her Majesties Lieut Governor of Virginia May it please your Hono^r:

We her Majesties most Loyall and Dutifull Subjects the Burgeffes Assembled having had under our Consideration your Honours written Message of the first of *November* Wherein your Honour is pleased to tell us That after the *Tuscarora* Indians had by Fourteen of their Nation Discovered that they did not Intend to performe any of their Engagements in the Treaty made with them They had warning given them what Treatment they were to Expect if they Offered to come any more into this Governm^t before they had given the Satisfaction required of them for the Massacre in *Carolina* And that Proclamations had been Issued Requiring the Rangers and Frontier Inhabitants to Seize and Secure every one of that Nation that Should presume to come within the Inhabitants In pursuance of which Certain *Tuscarora* Indians have been taken up and are now in the Publick Goal at the Charge of this Country upon which your Honour has been pleased to require our Opinion what ought to be done with them

We therefore humbly Desire That your Honour will be pleased to Acquaint us with the purport of those Proclamations mentioned in your Said Message as also what Treatment those Indians had warning to Expect by your Honours Declaration the better to Enable us to Comply with your Hono^rs Demands.

Ordered That the Said Address be fairly Transcribed and Signed by Mr *Speaker*

Ordered That the Persons that prepared the Said Address Together with Mr *Newton* Mr *Waller* Mr *Conway* Mr *Hamblin* Mr *Grey* Mr *Bridger* Mr *Farquelin* Mr *Richard Neale* and Mr *Bull* present the Same to the Governor

A Member of the House moving for Leave to bring in the Petition of *Daniel Austin* in behalf of himself and Eleven men more Leave was accordingly given him And thereupon the Same was presented to the House and Read Praying to be Allowed for their Service as Rangers in *King* and *Queen* County from the Eighteenth day of *June* last past

Ordered That the Consideration of the Said Petition be Referr'd to the Committee for Publick Claims To Report their Opinion therein

Mr *Holloway* Reported that the Committee of Propositions and Grievances had (according to Order) prepared a Bill To Impower Surveyors of highways to take Trees To make or Repair Bridges and Highways which he presented to the House And the Same was received and Read the first Time and Ordered to be Read a Second Time

Mr *Holloway* reported from the Committee To whom the Bill for Repealing an Act Entituled *an Act Declaring the Negro Molatto and Indian Slaves within this Dominion to be Reall Estate* was Committed That they had made Severall Amendments to the Bill And the Title of the Bill which they had directed him To Report to the House which he Read in his place And afterwards delivered in at the Table where the Same were Twice Read and Agreed unto by the House

Ordered That the Bill with the Amendments to the Bill and Title be Ingrossed

Mr *Holloway* Reported that the persons appointed had [according to Order] Examined the Allegations of the Petition of *William Manley* and found the Same to be true
And

And thereupon had Agreed on a Report which he Read in his place and then Delivered in at the Table where the Same was Twice Read and Agreed unto by the House

Ordered That Leave be given to bring in a Bill According to the Prayer of the Said Petition And that the persons appointed to Examine the Allegations of the Said Petition do prepare and bring in the Bill

A Member of the House moving for Leave to bring in a Petition of *Frederick Jones* Leave was accordingly given him and thereupon the Same was presented to the House which being Read Sets forth That the Petitioner Some few years Since Did remove out of this Colony Two Negros named *Will* and *Bounce* into the Province of *North Carolina* For which Two Negros he did pay the Duty of Twenty Shillings apiece in this Government And also one other Negro named *Kate* born in *Virginia*. That Since the Removall of the Said Negros Four Children named *Caesar Neds Diego* and *Sue* have been born of them That the Petitioners Plantations in that Province by reason of the frequent Hostilities and Disorders there being totally Ruined and Destroyed he is obliged to quit his Settlements there And Desireous to Remove his Said Negros and Effects into this Colony And prays this House will be pleased to permitt him to bring his Said Negros into this Colony without paying the Duty Laid on Negros Imported here by the Law now in force.

The House upon Consideration of the Said Petition

Resolved That the Petitioner be permitted according to the Prayer of his Petition to bring in his Said Negros into this Colony without paying Duty

Ordered That *Mr Holloway Mr Allerton Mr Eskridge* and *Mr Nicholas Meriwether* Carry a Coppy of this Resolve to the Council and Desire their Concurrence thereunto

The House [according to Order] proceeded to the Consideration of the Subject matter of the Grievance from the County of *Middlesex* Setting forth that the Vestry of the Parish of *Christ Church* in the said County have Ordered Three Churches To be built in the Said Parish And Thereupon

Resolved That a Bill be brought in to Redress the Said Grievance

Ordered That it be Referr'd to the Burgesses of *Middlesex* County to prepare and bring in the Said Bill

Upon a Motion made

Ordered That Leave be given to bring in a Bill to Continue an Act Entituled *an Act for Appointing Rangers* And that the Committee of Propositions and Grievances prepare and bring in the Bill

And then the House Adjourned Till To Morrow Morning Ten a Clock

Thursday November the 6th 1712

MR *William Robinson* Reported from the Committee of Propositions and Grievances that they had [according to Order] prepared Two Bills The one to prevent Land Lapsing from Infants for not Seating and Planting or not paying Quit Rents untill Three years after they come of Age The other for Appointing Rolling Houses and Publick Landings and Ascertaining the prices of Storeage And the Same were Received and Read the first Time and Ordered to be Read a Second Time

A Bill to Impower Surveyors of High ways to Take Trees to make or Repair Bridges and Highways was Read a Second Time and Some Amendments were made by the House To the Bill

Ordered That the Bill with the Amendments be Ingrossed

Mr William Robinson from the Committee of Propositions and Grievances Reported That the Said Committee had taken into Consideration Some of the Matters to them Referr'd And therein had Agreed upon Some Resolutions which he Read in his place and

and then Delivered in at the Table where the Same were Read The House proceeded to the Immediate Consideration of the Report

And upon Consideration of the Report of the Said Committee made upon the Proposition from the County of *Princeps Ann* That a New Court House Prison Stocks and Pillory may be Erected at Some Convenient place near the Centre of the Said County

The House Agreed to the Report of the Said Committee *Vizt*

Resolved That the Consideration of the Said Proposition be Referr'd to the next Session of Assembly

And upon Consideration of the Report of the Said Committee made upon the Petition of *Peter Jones* Liev^t of the Rangers for the County of *Prince George* in behalf of himself and the Rangers under his Command praying they may be furnished with Ammunition at the Publick Charge or at certain Rates in Tobacco to be deducted out of their Wages And that the Petitioner may be paid for Horses accidentally killed in the Ranging Service And that their Sallarys may be Augmented

After a Debate The Question was put That the Report of the Committee be Agreed to

Resolved in the Affirmative And Thereupon

Resolved That an Addition of Eight Hundred pounds of Tobacco be made to the pay of each Liev^t of Rangers And an Addition of Six Hundred pounds of Tobacco to pay of each private man Employed in the Said Service over and above the pay allowed by Law

Ordered That it be an Instruction to the Committee appointed to prepare and bring in the Bill to Continue an Act Entituled *an Act for appointing Rangers* That for the future there be yearly Added to the pay of Each Liev^t of the Rangers Eight hundred pounds of Tobacco And to the pay of each private man under their Respective Commands Six hundred pounds of Tobacco pursuant to the Resolve of this Day

An Ingrossed Bill to Repeal an Act Entituled *an Act Declaring the Negro Molatto and Indian Slaves within this Dominion to be Reall Estate* And to Repeal a Clause in an Act Entituled *an Act for the Distribution of Intestates Estates Declaring Widdows Rights to their Deceased Husbands Estates And for Securing Orphans Estates* Relating to the Third part of the Intestates Estate given to the Wife of the Intestate And also to Repeal a Clause in an Act Entituled *an Act Directing the manner of granting Probates of Wills and Administration of Intestates Estates* Relating to the Delivery of Slaves to the person or persons to whom the Same are Declared to belong by the Said Act Entituled *an Act Declaring the Negro Molatto and Indian Slaves within this Dominion to be Real Estate* And also to Declare what part of the Estate of persons here after Dying Intestate shall be given to the Wife of Such Intestate was Read the Third Time

Resolved That the Bill do pass

Ordered That the Committee that prepared the Bill do Carry the Same To the Council and Desire their Concurrence thereunto

And then the House Adjourned Till To Morrow Morning Ten a Clock

Fryday November the 7th 1712

THE Order of the Day being Read for the House to proceed upon the further Consideration of the Governors Message Relating to the *Tuscarora* Indians now in the Publick Goal

Resolved That this House will proceed to the further Consideration of the Said Message To Morrow

The Burgeesses of *Middlesex* [according to Order] presented to the House a Bill for making Void Certain proceedings of the Vestry of the parish of *Christ Church* in the County of *Middlesex* And for building a new Church in the Said parish And the Same was Received and Read the first Time and Ordered to be Read a Second Time

A Written Message from the Governor by Mr *Robertson* Together with Several Papers To which the Said Message doth Referr [To wit] A Copy of a Proclamation for Prohibiting all Correspondence with the *Tuscarora* Indians. A Copy of a Proclamation for a Free Trade with the Western Indians A Copy of an Order of Council prohibiting Trading with the Indians

The Governors Message To y^e House of Burgeesses

Mr *Speaker* and Gentlemen of the House of Burgeesses

In answer to your Address of *Wednesday* last I have directed Copys of the Several Orders and Proclamations prohibiting Trade with the Indians which have been published on the South Side of *James River* to be prepared for your Information I also now Acquaint you That when the Fourteen *Tuscarora* Indians mentioned in my last Message came to tell me that their Nation had performed none of their Engagements entered into *December* foregoing I Commanded them Immediately to depart this Colony And Assured them that if thereafter any of that Nation Should be found within our Inhabitants [before they had given y^e Satisfaction Demanded of them for the Massacre in *Carolina*] they Should be Seized and Treated as Enemys

And accordingly I gave Orders to the Tributary Indians not only to Seize every *Tuscarora* they Should find within the Limits of this Colony But also to Stop and Carry before the next Justice any of the Inhabitants which they Should Discover going out to Trade with that Nation It is in pursuance of the Declaration I made to those *Tuscaroras* And of the Orders and Proclamation Subsequent thereunto That the Prisoners now in the Publick Goal were taken up Nevertheless I have on your Representation given directions that Care be forthwith taken that they may not perish for want of Cloaths or other Necessary's reasonable to be given them

Mr *Speaker* and Gent^l of y^e House of Burgeesses

I have directed the Overseers for building the Govern^rs House to Lay before you their Accounts by which you may now Judge of the Computation formerly made for finishing that building

A: *Spotswood*

Which Message and Papers were Read And Ordered to Ly upon y^e Table

Mr *Byrd* and Mr *Christopher Robinson* Severally moving for Leave to be Absent upon Extraordinary Occasions Leave is accordingly given them And Ordered that they Attend the Service of the House on *Wednesday* next

Mr *Epes* moving for Leave to be absent on Extraordinary Occasions Leave is accordingly given him and Ordered that he Attend the Service of the House on *Munday* next

A Bill to prevent Land Lapsing from Infants for not Seating and Planting or Not paying Quit Rents untill Three Years after they come of Age was Read the Second Time

After a Debate The Question was put That the Bill be Ingrossed

Resolved in the Affirmative And Thereupon

Ordered That the Bill be Ingrossed

A Bill for Appointing Rolling Houses and Publick Landings And Ascertainning the Prices of Storeage was Read the Second Time and Committed

A Message from the Council by Mr *Robertson*

That the Council have Assented To the Resolve of this House of *Wednesday* Last for the permitting *Fredrick Jones* to bring Some Negros from *North Carolina* into this Government without Paying Duty

A Member of the House moving for Leave to bring in the Petition of *Francis Wright* Sheriff of *Westmoreland* Leave was accordingly given And the Same being presented to the House was Read Praying that he may be Admitted to Amend his Return of the Writt for Election of Burgeesses for the Said County of *Westmoreland* by his under Sheriff he being Sick and unable to Travell. And y^e House being Informed that one *William Davis* his under Sheriff Attended at the Door

Ordered

Ordered That the Said under Sheriff be brought into the House And that he be directed to amend the Said Return who being brought in And having Amended the Return of the Said Writt withdrew And Thereupon

Ordered That the Said Sheriff be Discharged paying Fees

An Ingrossed Bill to Impower Surveyors of Highways to take Trees to make or Repair Bridges and Highways was Read the third Time

Resolved That the Bill Do pass

Ordered That the Committee that prepared the Bill do Carry the Same to the Council and Desire their Concurrence thereunto

And then the House Adjourned Till To Morrow Morning Ten a Clock

Saturday November the 8th 1712

SOME Accounts prepared by the Overseers for building the Governors House Relating to the Said Building being presented to this House were Received And upon a Motion made

Ordered That the Said Accounts Ly upon the Table

The Order of the Day being Read the House proceeded to the further Consideration of the Governors Message of the first of this Month relating to the *Tuscarora* Indians now in the Publick Goal Which Message and the Severall Papers therein Referr'd to were Read

And after a Debate And the Question put

Resolved That it is the Opinion of this House that the Hostage And all the *Tuscarora* Indians taken by the Rangers and the *Notoway* Indians be Sent and Delivered up to the Government of *North Carolina* To be there dealt with all as that Government Shall think fit

Ordered That the Subject Matter of this Resolve be put in a Suitable Address And Sent up to the Governor As an Answer to his Said Message

Ordered That Mr *William Robinson* and Mr *Eskridge* prepare and bring in the Said Address

A Bill for making void Certain Proceedings of the Vestry of the parish of *Christ Church* in the County of *Middlesex* And for building a New Church in the Said parish was Read the Second Time And an Amendment was made by the House To the Bill

Ordered That the Bill with the Amendment be Ingrossed

An Ingrossed Bill to prevent Land Lapsing from Infants for not Seating and Planting or not paying Quit Rents untill Three years after they come of Age was Read the Third Time

Resolved That the Bill do pass

Ordered That the Persons that prepared the Bill Do Carry the Same to the Council and Desire their Concurrence thereunto

Mr *Hamblin* moving for Leave to be Absent upon his Extraordinary Occasions untill *Tuesday* next Leave is Accordingly given him

Mr *Buckner* from the Committee for Publick Claims Reported That the Said Committee had taken into Consideration the Severall Claims to them Referr'd And therein had agreed upon Severall Resolutions which they had Entred into a Book called the Book of Reports of the Committee for Publick Claims which he presented to the House And the Same was Received

Ordered That the Said Book be considered on *Munday* next

And then the House Adjourned Till *Munday* Morning Ten a Clock

Munday

Munday November the 10th 1712

MR Holloway Reported from the Committee to whom the Bill for Appointing Rolling Houfes and Publick Landings and Ascertaining the Price of Store-age was Committed That they had made Severall Amendments To the Bill which they had directed him to Report to the Houfe which he Read in his place and afterwards Delivered in at the Table where the Same were Read and Agreed unto by the Houfe

Ordered That the Bill with the Amendments be Ingroffed

Vpon a Motion made by a Member of the Houfe *Henry Cary* Some time Overfeer for Building the Governor's Houfe hath Leave to Lay before this Houfe his Accounts Relating to the Said Building And the Same was Received

Ordered That the Said Accounts Do Ly upon the Table

Mr Holloway Reported from the Committee of Propofitions and Grievances That they had [according to Order] prepared a Bill to Continue an Act Entituled *an Act for Appointing Rangers and for Encreafing their pay* which he prefented to the houfe and the Same was Received and Read the firft Time And Ordered to be Read a Second Time

Mr Holloway Reported that the perfons Appointed had [according to Order] prepared a Bill to Enable *William Manley* Gent to Sell and Difpofe of Certain Entailed Lands and Tenements Lying in the County of *Westmoreland*—On Settling other Lands and Tenements Lying in the Said County of which he is Seized in fee To the Same Ufes which he prefented to the Houfe And the Same was Received and Read the firft Time And Ordered to be Read a Second Time

An Ingroffed Bill for making Void Certain proceedings of the Veftry of the Parifh of *Chrift Church* in the County of *Middlefex* And for building a New Church in the Said parifh was Read the Third Time

Refolved That the Bill do pafs

Ordered That the Perfons that prepared the Bill Together with the Burgeffes of *Effex Lancafter* and *Northumberland* Do carry the Same To the Council and Defire their Concurrence thereunto

Ordered That the Confideration of the Severall Accounts Laid before this Houfe by the Overfeers for building the Governors Houfe be Referr'd to the Committee for Publick Claims And that they Infpect and Examine the fame And Report ther Opinion therein to the Houfe

The Houfe [according to Order] proceeded to the Confideration of the Book of Reports of the Committee for Publick Claims. And part thereof being Read was Agreed unto by the Houfe with Some Amendments

Ordered That the Said Book be further Considered To Morrow

And then the Houfe Adjourned Till to Morrow Morning Ten a Clock

Tuesday November the 11th 1712

THE Houfe [according to Order] proceeded to the further Confideration of the Book of Reports of the Committee for Publick Claims And Some other part thereof being Read was Agreed unto by the Houfe with some Amendments

Ordered That the Said Book be further Considered To Morrow

Mr *Bolling* Moving for Leave to be Absent from the Service of the Houfe On his Extraordinary Occasions Till *Saturday* next Leave is accordingly given him

And then the Houfe Adjourned Till To Morrow Morning Ten a Clock

Wednesday

Wednesday November the 12th 1712

M^R William Robinson Reported That the Committee of Propositions and Grievances had [according to Order] prepared a Bill for Settling and Ascertainning the fees of Attorneys Secretary County Court Clerks Sheriffs Coroners and Conftables And the Allowance of Witneffes Attending in County Courts and before a Justice which he presented to the House And the Same being Received was Read the first Time And Ordered to be Read a Second Time

A Member of this House Moving that Mr *Bush* may have Leave to go into the Country for Recovery of his Health Leave is accordingly given him And Ordered That he attend the Service of the House as soon as the State of his Health will permit him

A Message from the Council by Mr *Robertson*

That the Council have made Severall Amendments to the Bill to Impower Surveyors of Highways to take Trees to make or Repair Bridges and Highways To which they Desire the Concurrence of this House

Ordered That the Bill and Amendments do Ly upon the Table to be Considered when the House Shall think fit

The House [according to Order] proceeded to the further Consideration of the Book of Reports of the Committee for Publick Claims And the Same was Read over

Then the House proceeded to take into Consideration the Allowances for the Respective Officers That have Attended this And the last Session of Assembly And the Said Allowances being Agreed on by the House were Added to the Book of Claims

Ordered That the Said Book be Committed to Mr *Marable* and Mr *John Robinson* for Amendments

A Bill to Continue an Act Entituled *an Act for appointing Rangers and for Encreasing their Pay* was Read the Second Time and an Amendment was made by the House To the Bill

Ordered That the Bill with the Amendment be Ingrossed

A Bill To Enable *William Manley* Gent To Sell and Dispose of Certain Entailed Lands and Tenements Lying in the County of *Westmoreland* On Settling other Lands and Tenements Lying in the Said County of which he is Seized in fee to the Same Vses was Read the Second Time And Some Amendments were made by the House To the Bill

Ordered That the Bill with the Amendments be Ingrossed

An Ingrossed Bill for Appointing Rolling Houses and Publick Landings And Ascertainning the Prices of Storeage was Read the Third Time

Resolved That the Bill do pass

Mr *William Robinson* Reported that the Persons appointed had [according to Order] prepared an Address to the Governor As an Answer to his Message on the first of this Month which he read in his place and then Delivered in at the Table where the Same was again Read and Agreed unto by the house And is as followeth

To the Honourable *Alexander Spotswood Esq^r* her Majesties Liev^t Governo^r of Virginia

May it please your Honour

We her Majesties most Loyall and Dutifull Subjects the Burgeffes Assembled Take Leave humbly to Represent to your Honour That after a further Consideration of your Honours Message of the first of this Month And a Due Regard had to the Severall Circumstances of the Indians therein mentioned We are of Opinion that the Hostage and all the *Tuscarora* Indians taken by the Rangers and the *Notoway* Indians be Sent and Delivered up to the Government of *North Carolina* To be there dealt with all as that Government shall think fit

November 12th 1712

Ordered

Ordered That the Said Address be fairly Transcribed and Signed by Mr *Speaker* And that Mr *Eskridge* Mr *Ball* Mr *Hurwood* of *Warwick* Mr *Gouldman* Mr *Bridger* Mr *Wolk* Mr *Thomas Godwin* Mr *Grey* Mr *M^r Cary* Mr *Fitzhugh* Mr *Waller* and Mr *Waters* Do present the Same to the Governor

And then the House Adjourned Till To Morrow Morning Ten a Clock

Thursday November the 13th 1712

AN Ingrossed Bill To Enable *William Manley* Gent^l To Sell and Dispose of Certain Entailed Lands and Tenements Lying in the County of *Westmoreland* On Setling other Lands and Tenements Lying in the Said County of which he is Seized in ffee To the Same uses was Read the Third Time And a Small Amendment was made by the House To the Bill

Resolved That the Bill do pass

An Ingrossed Bill to Continue an Act Entituled *an Act for Appointing Rangers and for Encreasing their pay* was Read the Third Time And Some Amendments were made by the House To the Bill

Resolved That the Bill Do pass

The House proceeded to take into Consideration the Amendments proposed by the Council to the Bill Entituled *an Act To Impower Surveyors of Highways to take Trees to make or Repair Bridges and Highways* And the Same being Read part of the Said Amendments were Agreed unto and part disagreed unto

Ordered That the Committee of Propositions and Grievances Do Carry the Ingrossed Bills that have passed the House To the Council And Desire their Concurrence thereunto And that they Acquaint the Council That the House have Agreed to part of their Amendments proposed To the Bill Entituled *an Act to Impower Surveyors of Highways to take Trees to make or repair Bridges and Highways* And to part have Disagreed And Desire their honours to Assent to the Bill with the Amendments agreed unto by the House

A Message from the Governor by Mr *Robertson*

Mr *Speaker*

The Governor Commands the Immediate Attendance of this House on him in the Council Chamber

Accordingly Mr *Speaker* with the House went to Attend the Governor And being Returned Mr *Speaker* Reported as followeth

Gentlemen

I am to Acquaint you that According to the Governor's Command We have been to Attend him in the Council Chamber That there he was pleased to make a Speech of which having a Copy I shall not trust to my Memory to Report the Contents of it but Read it as it is And he Read the Same To the House as followeth *Vizt*

Gentlemen of the Council and House of Burgeffes

I am Confident that never was a Speech made to an Assembly of *Virginia* with more Concern than this which I am now about delivering to you And I hope you will Consider and answer it as becomes Christians and fellow Subjects

Last Night I Recieved an Address from the Generall Assembly of *North Carolina* Representing their Condition to be the most miserable that ever people groaned under and earnestly Supplicating this Government to afford them Some Speedy Assistance to Rescue their Country from the Rage of the Heathen

No less than three bloody Massacres hath that Poor Province felt within the space of a year Together with the daily Incurfions of a Barbarous Enemy who still Continues upon all Occasions to burn their Houses Destroy their Stocks Butcher their Men and Women And Lead their Children into Captivity

Such

Such frightfull Calamitys having caused the Inhabitants there to be Generally more Sollicitous about Securing their persons than Saving their Substance that Colony is thereby reduced to Extreame Poverty And as great Numbers of those who went out to War have been killed or disabled And many Men withdrawn themselves into more peaceable Dominions That Government is now Rendered Incapable of Raifing a force to Defend the Country any longer

Vnder these Deplorable Circumstances your nearest Neighbours your Brother Christians and your Fellow Subjects Send hither for Succour Imploring you by all the Ties of Christianity and all the Ties of Humanity to help to Stop the Defolation of their Country And Save their Wretched ffamilys from the mereilefs fury of the Heathen

I could very largely Set it forth that you ought to Aid all Such of her Majesties Plantations in these parts as happen to be in distrefs but I find my own heart So Sencibly touched at the Miserys I have been Treating of that I cannot Suppose yours will Remain unmoved by the present Supplications of your Oppressed Brethren And therefore I fhall forbear All Arguments of Duty and Interest till I know your Resolutions hereupon which I desire may with all Convenient Speed be declared because the Generall Assembly of *North Carolina* waits with Impatience To learn the Result of this their Second Application hither

A Message from the Governour by Mr *Robertson*

Mr Speaker

I am Commanded by the Governor To lay before this House the Representation And Addrefs of the Generall Assembly of *North Carolina* To the Governor of *Virginia* And the Same was Received and Read

Resolved That this House will To Morrow proceed to the Consideration of the Governor's Speech of this Day And the Said Representation and Addrefs

A Bill for Setling and Ascertainning the fees of Attorneys Secretary County Court Clerks Sheriffs Coroners and Connstables And the Allowances of Witneffes Attending in County Courts And before a Justice was Read a Second Time and Committed to a Committee of the whole House

Resolved That this House will To Morrow Resolve it Self into a Committee of the whole House upon the Said Bill

And then the House Adjourned Till To Morrow Morning Ten a Clock

Fryday November the 14th 1712

THE House [according to Order] proceeded to the Consideration of the Governors Speech yesterday And the Addrefs from *North Carolina* mentioned in the Said Speech

Resolved That a Conference be desired with the Council upon the Subject Matter of the Said Speech and Addrefs

Ordered That Mr *Holloway* Mr *William Robinson* Mr *John Robinson* Mr *Soane* Mr *Conway* Mr *Allerton* Mr *Nicholas Meriwether* and Mr *Thornton* forthwith wait upon the Council And desire the Said Conference And they being Returned Mr *Holloway* Reported That they had accordingly waited on the Council and Desired the Said Conference

A Message from the Council by Mr *Robertson*

Mr Speaker and Gent^{le} of the House of Burgeffes

I am Commanded by the Honourable Council to Acquaint you That their Hon^{rs} have Agreed to the Conference desired by this House upon the Subject matter of the Governors Speech And the Addrefs mentioned in the Said Speech And have Appointed Three of their Members to Meet Such a Number of the Burgeffes as this House Shall think

think fit And that the Managers for the Council are now ready in the Conference Chamber And Thereupon

Mr *Holloway*.....Mr *Allerton*

Mr *W^m Robinson*.....Mr *John Robinson*

Mr *Eskridge*.....Mr *Nich^o Meriwether*

Were appointed Managers for the House in the Said Conference and Ordered forthwith to Attend the Council at the place appointed And they being Returned Mr *Holloway* Reported the Subject matter of the Said Conference And gave in at the Table Three Letters from *North Carolina* Directed to the Governor of *Virginia* [Delivered to them by the Council] Relating to the Subject matter of the Conference And that they have Adjourned the Conference for an Hour And the Same Letters were Read

Mr *Harwood* of *Charles City* Moving for Leave To be absent from the Service of the House upon his Extraordinary Occasions on *Munday* and *Tuesday* next Leave is accordingly given him

Mr *Littlebury Epes* moving for Leave to be Absent Till *Tuesday* next upon his Extraordinary Occasions Leave is Accordingly given him

Mr *Eskridge* moving for Leave to be absent on his Extraordinary Occasions Leave is accordingly given him And Ordered that he Attend the Service of the House on next *Munday* Sevensnight

The Order of the day being Read

Resolved That this House will To Morrow Resolve it Self into a Committee of the whole House upon the Bill for Setling and Ascertaining the fees of Attorneys Secretary County Court Clerks Sheriffs Coroners and Constables And the Allowances of Witnesses Attending in County Courts and before a Justice

Mr *Marable* Reported from the Committee To whom the Book of Reports of the Committee for Publick Claims was Committed That they had Inserted Some Amendments in the Said Book

Resolved That the House doth Agree to the Book with the Said Amendments

Ordered That the Committee for Publick Claims Do Carry the Said Book to the Council and Desire ther Concurrence thereunto

And then the House Adjourned Till To Morrow Morning Ten a Clock

Saturday November the 15th 1712

MR *Holloway* acquainted the House that the Managers for this House had yesterday a further Conference with the Managers for the Council upon y^e Subject Matter of the Governors Speech And the Address of the Generall Assembly of *North Carolina* menconed in the Said Speech And Reported to the House the Subject Matter of the Said Conference and Thereupon

Resolved That this House doth Agree to Lend to the Government of *North Carolina* the Nine Hundred Yards of Duffells Desired by that Government

Resolved That this House will Assist *North Carolina* in its present Distress further than by Lending of Duffells

Resolved That the Sum of One thousand pounds be Raised for the Assistance of *North Carolina* in its present Distress

Resolved That the Said Thousand pounds be put into the Hands of the Governor of this Colony To be by him Disposed and Laid out as he shall think best for the Service and Assistance of *North Carolina* in their Distress

Resolved That an Address to the Governor be prepared on the Subject Matter of the preceding Resolves as an Answer to the Governor's Speech

Ordered That Mr *Holloway* Mr *William Robinson* and Mr *Allerton* prepare and bring in the Said Address

Ordered

Ordered That the persons appointed to draw the Address wait on the Council and Acquaint their Honours that this House hath Agreed upon Resolutions for the Assistance of *North Carolina* And hath Ordered an Address to the Governor to be prepared upon the Said Resolutions in which Address when prepared this House Shall Desire their Honours to Joyn

A Message from the Council by Mr *Robertson* That the Council have Agreed to the Bill Entituled *an Act to Continue an Act Entituled an Act for Appointing Rangers And for Encreasing their pay* without any Amendments

Also that the Council have Agreed To the Bill Entituled *an Act to prevent Land Lapping from Infants for not Seating and Planting or not paying Quit Rents untill Three years after they come of age* with Severall Amendments To which they desire the Concurrence of this House

Also that the Council have agreed To the Bill Entituled *an Act to Enable William Manley Gent^{le} To Sell and Dispose of Certain Entailed Lands and Tenements Lying in the County of Westmoreland on Settling other Lands and Tenements Lying in the Said County of which he is Seized in ffee To the Same uses* with an Amendm^t To which the Council Desire the Concurrence of this House

Also that the Council doth Adhere to their Amendments propofed to the Bill Entituled *an Act to Impower Surveyors of Highways To take Trees to make or Repair Bridges and Highways*

Also that the Council have passed Two Bills [To wit] *an Act to prohibit all Trade with the Tuscarora and other Indians Concerned in the late Massacre in North Carolina And for the better Regulating the Indian Trade*

And *an Act declaring what Shall be Accounted a Sufficient Seating and Planting of Lands hereafter to be Taken up and Patented* To which they desire the Concurrence of this House

Ordered That the Burgeffes of *Princess Ann Nansmond* and *Isle of Wight* Countys do wait upon the Governor and Desire him to Issue out a New Writt for the Election of a Burgefs to Serve in this present Assembly for the County of *Norfolk* in the Room of Mr *Francis Willson* Deceased

Mr *Stamup* Mr *John Robinson* and Mr *Joseph Godwin* Severally moving for Leave to be Absent from the Service of the House Till *Tuesday* next upon their Extraordinary Occasions Leave is accordingly given them

The Order of the Day being Read

Resolved That this House will on *Munday* next at Twelve a clock Resolve it Self Into a Committee of the whole House upon the Bill for Settling and Ascertainning the fees of Attorneys Secretary County Court Clerks Sheriffs Coroners and Constables And the Allowances of Witnesses attending in County Courts and before a Justice

The House proceeded to take into Consideration the Amendments Adhered to by the Council propofed to the Bill Entituled *an Act to Impower Surveyors of Highways to take Trees to make or Repair Bridges and Highways* and Thereupon

Resolved That this House doth Adhere to the Bill and Amendments agreed to be made by the House to the Bill only.

The House proceeded to the Consideration of the Amendments propofed by the Council To the Bill Entituled *an Act to prevent Land Lapping from Infants for not Seating and Planting Or not paying Quit Rents untill Three years after they come of age* And the Same being Read were agreed unto by the House and made in the Bill

The House proceeded to the Consideration of the Amendments Propofed by the Council to the Bill Entituled *an Act to Enable William Manley Gent^{le} to Sell and Dispose of Certain Intailed Lands and Tenements Lying in the County of Westmoreland On Settling oier Lands and Tenements Lying in the Said County of which he is Seized in ffee To the Same uses* And the Same being Read were agreed unto by the House and made in the Bill

Ordered

Ordered That the Committee of Propositions and Grievances do Carry To the Council the Bills and Amendments propofed by the Council To the Same Bills And this Day agreed to by the Houfe And Acquaint their Honors that the Bills are Amended according to the Amendments by them Propofed

An Ingroffed Bill from the Council Entituled *an Act prohibiting all Trade with the Tufcarora and other Indians Concerned in the Late Maffacre in North Carolina And for the better Regulating the Indian Trade*

Alfo an Act Declaring what fhall be Accounted a Sufficient Seating and Planting of Lands hereafter To be taken up and Patented were Read the firft Time And Ordered to be Read a Second Time

And then the Houfe Adjourned Till Munday Morning Ten a Clock

Munday November the 17th 1712

A MESSAGE from the Council by Mr Robertfon
Mr Speaker

I am Commanded by the Council to Return the Bill Entituled an Act to prevent Land Lapping from Infants for not Seating and Planting Or not paying Quit Rents untill Three years after they come of Age

Alfo the Bill Entituled an Act To Enable William Manley Gent to Sell and Dispose of Certain Entailed Lands and Tenements Lying in the County of Westmoreland On Selling Other Lands and Tenements Lying in the Said County of which he is Seized in fee To the Same uses And to Acquaint this houfe that their Honors have Examined the Said Bills with the Amendments Inferted And have paffed the Same as amended

Vpon a Motion made

Ordered That a Bill be brought in for Continuing an Act Entituled an Act for Security and Defence of the Country in Time of Danger And that the Committee of Propositions and Grievances Do prepare and bring in the Bill

An Ingroffed Bill from the Council Entituled an Act To prohibit all Trade with the Tufcarora and other Indians Contained in the Late Maffacre in North Carolina And for the better Regulating the Indian Trade was Read the Second Time And after a Debate the Queftion was put that the Bill be Read a Third Time

It paffed in the Negative

Mr Holloway Reported That the perfons appointed had [according to Order] prepared an Addrefs to the Governor on the Subject Matter of the Refolves of the fifteenth Instant As an Answer to the Governor's Speech of the 13th Instant which he Read in his place And then Delivered in at the Table where the Same was Read and Agreed unto by the Houfe

Ordered That the perfons that prepared the Addrefs Together with Mr Waller Mr Francis Meriwether Mr Waters Mr Waugh Mr Byrd Mr Gouldman Mr Bridger Mr Wright and Mr Harwood Do Carry the Same To the Council and Defire their Honours to Joyn therein

An Ingroffed Bill from the Council Entituled an Act Declaring what Shall be Accounted a Sufficient Seating and Planting of Lands hereafter to be taken up and Patented was Read the Second Time And after a Debate The Queftion was put That the Bill be Read a Third Time

It paffed in the Negative

The Houfe [according to Order] Refolved it Self into a Committee of the whole Houfe upon the Bill For Setling and Afcertaining the fees of Attorneys Secretary County Court Clerks Sheriffs Coroners and Connftables And the Allowances of Witneffes Attending the County Courts and before a Juftice. And After Some Time Spent therein Mr Speaker Refumed the Chair And Mr Holloway Reported from the Committee That they had

had made Some Progress in the Bill And had directed him to Move That they may have Leave to Sit again

Resolved That this House will To Morrow Resolve it Self into a Committee of the whole House to Consider further of the Said Bill

And then the House Adjourned Till To Morrow Morning Ten a Clock

Tuesday November the 18th 1712

A MESSAGE from the Council by Mr *Robertson* That the Council have made Severall Amendments To the Address to the Governor Sent up yesterday by this House for their Honours Concurrence To which Amendments they Desire the Concurrence of this House—

Also that the Council have made Severall Amendments to the Bill Entituled *an Act for appointing Rolling Houses and Publick Landings and Ascertaining the Prices of Storage* And Desire the Concurrence of this House thereunto

The House proceeded to the Immediate Consideration of the Amendments proposed by the Council To the Address And the Same were Read And to part of the Said Amendments the House Agreed And to part Disagreed And made a New Amendment To the Address

Ordered That the persons that Carried up the Address yesterday Do forthwith carry the Said Address To the Council and Acquaint them That the House have Agreed to part of their Amendments And to part have disagreed And have proposed a New Amendment To the Address and Desire their Concurrence thereunto

A Message from the Council by Mr *Robertson*

That the Council Do not Insist upon Such of their Amendments to the Address as are disagreed unto by this House and Likewise that they have Agreed unto the New Amendment proposed by this House To the Said Address

Ordered That the persons that carried the Said Address To the Council Do again Carry the Same To their Honours for their View the Same being Amended as Agreed by their Honours and this House

A Message from the Council by Mr *Robertson*

That the Council are Satisfied that the Amendments Agreed unto are truly Inserted in the Address And Desire that the Same may be fairly Transcribed in Order to its being presented to the Governor

Also a Written Message from the Council by Mr *Robertson* which was Read as followeth

Mr Speaker and Gent^{ls} of the House of Burgeesses

The Council being Apprehensive That there is not So Great a Quantity of Duffells in this Country as the Nine hundred yards agreed to be furnished to the Government of *North Carolina* propose that So much as shall fall Short of that Quantity may be Supplied by other Course Woollens to the Same Value which will Render that Charitable Loan the more Effectually for the Relief of those poor People

November 18th 1712

Resolved That this House doth Agree to the Said Message

Ordered That the Address To the Governor be fairly Transcribed and Signed by Mr *Speaker*

Ordered That the Persons that Carried the Address to the Council for their Concurrence Do now Carry the Same to the Council for their Signing

Resolved That this House will To Morrow Resolve it Self into a Committee of the whole House to Consider further of the Bill for Settling and Ascertaining the Fees of Attorneys Secretary County Court Clerks Sheriffs Coroners and Constables and the Allowances of Witnesses attending in County Courts and before a Justice

A Message from the Council by Mr *Robertson*

That the Council have Signed the Address And that this House may take their own Time for presenting it to the Governor And the Address is as followeth

To the Honourable Alexander Spotswood her Majesties Lieut Governor of Virginia
May it please your Honour

We her Majesties most Dutifull and Loyall Subjects the Council and Burgeesses now Affembled having with the Deepest Concern Reflected on the miserable Conditions of our fellow Subjects of the Province of *North Carolina* Recomended with So much Compassion in your Honours Speech the Thirteenth Instant out of Comiseration to their Deplorable Circumstances And a True zeal for the Service of our most gracious Queen have with Chearfull Hearts Resolved to Supply that Province According to their Desire with Nine hundred yards of Duffells And also to Raife the Sum of One thousand pounds for their Assistance

And having an Intire Confidence in your Honours prudent Management We humbly Request You will be pleased to take upon you the Disposall of this Supply In Such manner as you shall Judge most proper and Effectuall for the Service Intended

We are very Sory Sencible the Confusions and Disorders in y^e Government of *North Carolina* have in a great measure Occasioned not only their present Misfortunes but Also the Vast Exence this Colony is put to in Guarding our Frontiers Yet the present miseries of that Province being Attended with Such variety of Calamitys and Agrivated with Circumstances So highly Deplorable have moved our Compassion They Cry Loudly for Pitty and want no Argument to perswade us to afford them any Succour in our power

We with all humility hope her Majesty will be graciously pleased to Accept this Relief to our Fellow Subjects in Distress as a Demonstration of our zeal for her Service And to believe We have on this Occasion Exerted our Selves to the utmost of our Abilities

November 18th 1712

Resolved That the Said Address be presented to the Governor by the whole House

Ordered That Such of the Members of this House as Carryed the Said Address To the Council and Six Members more Do know the Governors pleasure when he will be Attended by this House

Mr *Holloway* Acquainted the House

That the Members Appointed to wait upon the Governor to know when he will be Attended by this House have Accordingly waited upon his Honor And that he was pleased to Say he would be Immediately attended in the Council Chamber

Accordingly the House went to Attend the Governor and being Returned Mr *Speaker* Reported That the House had presented to the Governor their Address And thereupon his Honor was pleased to Say to this Effect

Gentlemen

I cannot but Receive with great Satisfaction all Such Resolutions As I Judge to be for the Honour and Interest of *Virginia* And for the Welfare of her Majesties Subjects

You Gentlemen of the Council I must very kindly thank for your frequent Readiness to Concurr with me in Assisting those Oppressed Neighbours of ours. And you Gentlemen of the House of Burgeesses I likewise thank for the promises you now give me of Raising Some Money towards Succouring our Brethren

I Shall most heartily Concur with you in So Commendable an Act of Charity And not only Chearfully Contribute my Proportion of the Tax you Lay But will Also Carefully Manage the utmost Penny given towards Aiding them in the best and most Effectuall manner that I am capable of Contriving with Such a Sum as a Thousand pounds

And more over if that Sum will not Encourage a Sufficient Number of men to go to the Relief of those poor People I Shall be ready [without any Expectation of reward] to March at the Head of your Militia hoping that none of you that are able will Refuse to follow me on the Same Terms

The

The House proceeded to the Consideration of the Amendments proposed by the Council to the Bill Entituled *an Act for Appointing Rolling Houses and Publick Landings And Ascertaining the prices of Storeage* And the Same being Read Were Agreed unto by the House and made in the Bill

Mr *Bridger* Moving for Leave to be Absent from the Service of the House On his Extraordinary Occasions Till *Thursday* next Leave is Accordingly given him

Resolved That this House will To Morrow proceed to the Consideration of Ways and Means to Raife the Supply by this House Resolved to be Raifed for the Assistance and Relief of *North Carolina*

And then the House Adjourned Till To Morrow Morning Ten a Clock

Wednesday November the 19th 1712

MR *Holloway* Reported That the Committee of Propositions and Grievances To whom it was Referr'd to prepare and bring in a Bill for Continuing an Act Entituled an *Act for Security and Defence of the Country in Times of Danger* and prepared the Said Bill which he presented To the House And the Same was Received and Read the first Time And Ordered To be Read a Second Time

The House [according to Order] proceeded To the Consideration of Ways and Means for Raifing the Supply for the Assistance and Relief in *North Carolina* And Thereupon

Resolved That the Said Supply be Raifed by Continuing the *Act for Laying a Duty On Liquors and Slaves* for Three years after the Said Act Doth Expire

Ordered That it be Referr'd to the Committee of Propositions and Grievances to prepare and bring in the Bill

Ordered That it be an Instruction to the Said Committee to provide by a Clause in the Said Bill that the Interest for Money taken up and borrowed for the Said Supply Do not Exceed Eight $\frac{1}{2}$ Cent

Also that it be an Instruction to the Said Committee That a Clause be Inferted in the Said Bill for Appointing Mr *Speaker* Treasurer of all the Revenues Arising by the Said Act

Mr *Simons* Moving for Leave to be Absent from the Service of the House upon his Extraordinary Occasions Till *Friday* next Leave is Accordingly given him

Ordered That the Committee of Propositions and Grievances Do Carry To the Council the Bill Entituled an *Act for Appointing Rolling Houses and Publick Landings and Ascertaining the Prices of Storeage for their View* The Same being Amended according to the Amendments by them Proposed

Also that they Acquaint the Council That the House have Agreed to their Message Sent down Yesterday Touching the Supply of course Woollens to the Government of *North Carolina*

Ordered That Mr *Treasurer* Do lay before the House the Accounts of the Revenue between this and *Saturday* next—

Mr *Goodrick* Moving for Leave to be Absent from the Service of y^e House on his Extraordinary Occasions Till *Munday* next Leave is Accordingly given him

A Message from the Council by Mr *Robertson*

That the Council have passed the Bill Entituled an *Act for Appointing Rolling Houses and Publick Landings And Ascertaining the Prices of Storeage* as amended

The House [according to Order] Resolved it Self into a Committee of the whole House to Consider further of the Bill for Setling and Ascertaining the fees of Attorneys Secretary County Court Clerks Sheriffs Coroners and Constables And the Allowances of Witneses Attending in County Courts and before a Justice And after Some Time Spent therein Mr *Speaker* Resumed the Chair and Mr *Holloway* Reported from the Committee that

that they had made a further Progress in the Bill And had directed him to Move that they may have Leave to Sit again

Resolved That the Said Committee have Leave to Sit again at Such Time as the House Shall think fit

Vpon a Motion made by a Member of this House That a Bill be brought in for Declaring Constables Fees And what Allowance Evidences shall have for Attending County Courts and before a Magistrate or Magistrates out of Court after a Debate and the Question put.

That the Bill be brought in

It passed in the Negative

And then the House Adjourned Till to Morrow Morning Ten a Clock

Thursday November the 20th 1712

A WRITTEN Message from the Council by Mr *Robertson*
By the Council

Mr Speaker and Gentlemen of the House of Burgeses

The Council having had under Consideration the Book of Claims Sent up for their Concurrence And Observing that the House have Disallowed Some of the Claims there mentioned for Publick Service And that others which have been Laid before You are left out of that Book Think themselves Obligated to Recomend those Claims for your further Consideration *Vizt*

The Claim of *Sufanna Allen* for the Diet of 81 *French* Prisoners taken in a Privateer by one of the Guardships at our Capes And of *John Marott* for the Diet of the Officers of the Same Privateer Tho the former hath been allowed in your House to be a Just Demand Yet the Council find the Same is not Inserted in the Book And that the other the Disallowed by you Whereupon they think it Necessary to Inform your House That the Governor hath used his utmost Endeavour to obtain an Allowance from the proper Officers appointed by her Majesty for taking Care of Prisoners but after Divers Sollicitations at that Board They have Reported that the Charge of all Prisoners of War taken in the Plantations Ought to be and is Constantly Defrayed by the Plantations where they are taken That Practice Seems to be grounded upon the Advantages that Accrue to the Plantations by Disengaging their Trade from Such Enemyes And if the Service Done this Country by the Taking that Privateer Together with the Necessity of freeing the Man of War of the Burthen of those Prisoners for Enabling her to perform further Service at a Time of So much Danger And of preventing the ill Consequences of of Suffering them to go at large to Discover the weakness of the Country be Considered The Council Doubt not your house will Joyn in Opinion with them That as the Confining y^e Prisoners was prudent and necessary So the Charge was frugally managed and ought To be paid by the Country And therefore they propose that *John Marot's* Claim be allowed and *Sufanna Allens* added to the Book of Claims

The Council observe that the Claim of Mr *Nicholas Curle* for the Spy Sloop fitted out upon the Expected Invasion in 1711 is not Inserted in the Book of Claims That Service being So Necessary for the Defence of the Country And neither the Veffell nor Men employed any otherwife than only for the Publick benefit The Council cannot but Recommend that Claim to your Consideration But because they understand that your House are of Opinion That this Charge ought to be Defrayed out of the Revenue appropriated for the Support of the Government they take this Opportunity to Acquaint you that a State of that Revenue is now preparing and will be Laid before you with all Convenient Speed where by it will appear that that Revenue hath been So far from Supporting the Anuall charge of the Government That if the Same had not been Supplied from time to time out of the other Revenues of the Crown it would at this time have been many Thousand of pounds in Debt: And even with all those Additions the present Ballance of that

Revenue

Revenue will not defray the Expence of the Current half year being no more than £398—4—c— And Seeing her Majesty And her Royall predeceffors have So largely Contributed to the Support of this Government The Council hope the House of Burgeffes will no longer Refuse to pay Such an Inconfiderable Sum expended purely for the Safety and Protection of the Country

The Council Propose that the Claim of *William Syers of Gloucester* of £ 11—6—0 which is Referr'd for want of the Chief Commanders Warrant be regulated and Allowed A Certificate being now produced under the Commanding Officers hand that the Services there Charged were done by his order

The Council cannot reasonably Agree to the Allowance made by your House to *Thomas Baxter* and the Ten men under his Command as Rangers in *Stafford County* their Service being before the Passing of the Act of Rangers Unless the like payment be made to those who by the Same Orders Ranged at the Same time in y^e other Frontier County's And performed Equall Service to the Country. And as to the Allowances made to the Rangers Etablifhed by Act of Affembly the Council propofe that they be all paid to One Time without extending the pay of Some and postponing others Actually in Service at the Same time.

Among the Allowances made in your House to the Officers attending the Affembly the Council cannot but take Notice of an unufuall abatement from the Sallary for Reading Divine Service laft Seflion And the rather becaufe it Relates to one of their Members of whose Readinefs to perform his Duty they are all well Satisfyed And if the Severity of the Weather for Some few days Together with the Urgent Bufinefs then depending did not permit the Members of your House to Refort [as ufual] To the Publick Worfhip during that Short Time The Council cannot think it Reasonable that any Deduction be made on that Account And therefore propofe that the Said Article be Amended According to the Regulation made by the laft House of Burgeffes And the constant Allowance in Such Cafes

Which Severall Additions and Amendments being agreed to by your House the Council will be ready to pafs the Book of Claims

November the 19th 1712.

The House proceeded to the Immediate Confideration of the Said Meflage and part of the Propofitions therein made by the Council was agreed to and part difagreed unto

Resolved That a Written Meflage be Sent to the Council Acquainting them how far the House have Agreed to the Allowances by them Propofed to be made in the Book of Claims And wherein they have difagreed

Ordered That it be Referred to the Committee of Claims to prepare and bring in y^e Said Meflage And to make Such Amendments propofed by the Council to the Book of Claims As this House have Agreed unto

Mr *Holloway* from the Committee of Propofitions and Grievances Reported that they had [according to Order] prepared a Bill for Continuing an Act Entituled *an Act for Laying a Duty on Liquors and Slaves and for Appropriating money Sufficient to furnifh Nine hundred yards of Duffells And One thoufand pounds for the Service and Relief of North Carolina out of the Said Duty And for appointing a Treasurer* which he prefented to the House And the Same was Recieved and Read the firft Time And Ordered to be Read a Second Time

Resolved That the Bill be now Read a Second Time

The Bill was Read a Second Time and Severall Amendments were made by the House To the Bill And an Amendment was made To the Title of the Bill

Ordered That the Bill with the Amendments be Ingroffed

A Bill for Continuing an Act Entituled *an Act for Security and Defence of the Country in Times of Danger* was Read the Second Time And Some Amendments were made by the House To the Bill

Ordered That the Bill with the Amendments be Ingroffed

Mr Francis Meriwether Moving for Leave to be Absent from the Service of the House
On his Extraordinary Occasions Leave is accordingly given him
And then the House Adjourned Till To Morrow Morning Ten a Clock

Fryday November the 21st 1712

M^R *Treasurer* [according to Order] Laid his Accounts of the Revenue before the House

Ordered That it be Referred to *Mr William Robinson Mr Allerton and Mr Conway* to Inspect and Examine the Said Accounts And to Report their Opinion therein To the House

An Ingrossed Bill for Continuing an Act Entituled *an Act for Security and Defence of the Country in Times of Danger* was Read the Third Time

Resolved That the Bill Do pass

An Ingrossed Bill for Continuing an Act Entituled *an Act for Laying a Duty on Liquors and Slaves And for Appropriating Money Sufficient to furnish Nine hundred yards of Duffells And One thousand pounds for the Service and Relief of North Carolina out of the Said Duty And for Appointing a Treasurer* was Read the Third Time

Mr Buckner from the Committee for Publick Claims to whom it was Referr'd to make Such Amendments in the Book of Claims Propofed by the Council in their Message yesterday to the House As the House Agreed unto Reported that they had made the Said Amendments in the Book Accordingly

Also that they had [according to Order] prepared a Written Message to the Council which he presented to the House And the Same was Read and with Some Amendments agreed unto by the House And is as followeth

By the House of Burgeses

May it please your Honours

The Burgeses have Considered your Hono^rs Written Message of the Nineteenth Instant Sent with the Book of Claims And touching the Severall Matters therein Contained take Leave to Acquaint your Honours as followeth

That they Adhere to their former Opinion about the Claims of *John Merrott And Susanna Allen* [To wit] That those Claims are no Country Charge and therefore have not allowed the first or Added the Latter to the Book of Claims

That they Adhere to their former Opinion about the Claim of *Mr Nicholas Curle* To wit That the Same ought To be paid out of the Revenue

That they have Regulated the Claim of *William Syer* and Inserted in the Book of Claims what ought to be Allowed upon the Same

That they have Expunged out of the Book of Claims the Allowance made to *Thomas Baxter* and the Ten Rangers under his Command

That they have paid the Rangers Establisht by Act of Assembly all to A Time

And that the Abatement your Honours take Notice of in the last Paragraph of your Message was made upon Such Due Consideration of y^e Burgeses that they do not see any Reason to Recede from that Abatement And hope your Honours will not further press them to it or to any other Matter about which your Honours and they now Differ but that you will pass the Book of Claims As it is now Sent up

November 21st 1712

Ordered That the Said Message be fairly Transcribed and Signed by the Clerk of this House And that the Committee for Publick Claims Do Carry y^e Message with the Book of Claims To the Council

A Message from the Council by *Mr Robertson*

That the Council Desire an Immediate Conference with this House upon the Subject matter of their Last Message Relating to the Book of Claims The House proceeded to the Immediate Consideration of the Said Message and thereupon

Resolved

Resolved That this House doth not Agree to a Conference with the Council as desired
Ordered That Mr *Holloway* Mr *Waters* Mr *Waller* Mr *Christopher Robinson* Mr *Soane*
 and Mr *Bolling* Acquaint the Council with the Said Resolve

A Message from the Council by Mr *Robertson*

That the Council Desire an Immediate Conference with this House upon the Last Paragraph in their Message And have Appointed Two of their Members to Manage the Same with Such a Number of Burgesses as this House Shall think fit to Appoint

Which Conference being agreed unto

Mr *Holloway*..... Mr *Allerton*

Mr *John Robinson*..... Mr *Nich^o Meriwether*

Were Appointed Managers for the House in the Same

Mr *Holloway* from the Conference with the Council Reported the Subject Matter of the Said Conference And upon Consideration of y^e Reasons Reported to have been Offered by Mr *Commiffary Blair* in Excuse of his not Duly Attending to Read Divine Service the Last Session of Assembly The House doth Agree to Regulate And Amend that Article in the Book of Claims Relating To Mr *Commiffary*'s Sallary as proposed by the Council And the Amendment was made in the Book accordingly

Ordered That the Committee for Publick Claims Do Carry the Said Book To y^e Council and Desire there Concurrence thereunto

On a Motion made

The Bill for Continuing an Act Entituled *an Act for Laying a Duty on Liquors and Slaves And for Appropriating Money Sufficient to furnish Nine hundred yards of Duffells And One thousand pounds for the Service and Relief of North Carolina Out of the Said Duty And for Appointing a Treasurer* was put to its Passage

Resolved That the Bill Do pass

Ordered That the Committee of Propositions and Grievances Do Carry the Bill this Day passed the House To the Council and Desire their Concurrence thereunto

Mr *Robertson* from the Council Acquainted the House that their Honors have passed the Book of Claims And that they have obtained the Govern^r's Assent thereunto And he Delivered the Book to Mr *Speaker*

A Committee for Proportioning the Publick Levy Vizi

Mr *Buckner*..... Mr *Bolling*

Mr *Soane*..... and

Mr *John Robinson*..... Mr *Conway*

And then the House Adjourned Till To Morrow Morning Ten a Clock

Saturday November the 22^d 1712

MR *Christopher Neal* moving for Leave to go into the Country for Recovery of his health Leave is accordingly given him

Mr *Buckner* from the Committee of Claims Reported that they had [according to Order] Inspected and Examined the Severall Accounts of the Overseers for building the Govern^r's House And presented the Same To the House

Ordered That the Said Accounts Do Ly upon the Table

Mr *William Robinson* Reported from the Committee appointed to Inspect and Examine Mr *Treasurers* Accounts That they find the Same was Justly Stated which Accounts And the Vouchers To the Said Accounts he delivered in at the Table

Ordered That the Said Accounts and Vouchers Do Ly upon the Table

Mr *William Robinson* also Reported from the Same Committee that upon Examination of the Accounts of Mr *Christopher Robinson* Reciever of the Dutys Arising on Liquors and Slaves in the District of *Rappahanock* they Find that he Charged Commission on Five hundred Sixty Five pounds when the Ballance of his Account in the Countrys favour is but Four hundred Twenty One pounds Five Shillings There being a Draw back on Twenty Two dead Negros

The

The House proceeded to the Immediate Consideration of the Said Report And thereupon

Resolved That no Sallary ought to be Allowed upon the Said Draw back And that *Mr Christopher Robinson* ought to Account for the Same with *Mr Treasurer*

A Written Message from the Governor by *Mr Robertson* which was Read as followeth
Mr Speaker and Gent^s of the House of Burgesse

As the House of Burgesse in 1710 Did appropriate the Sum of Two hundred pounds towards Enlarging the Parish Church of *Bruton* I did at their Request take upon me to See that decent places Should be built and Set apart therein for the Generall Assembly according to a Draught which I now Lay before you But by the Computation made by the undertaker of the Said Church You will percieve that it is in Vain to begin on that work becaufe the Sum given is not Sufficient to perfect it No more than what hath been Appropriated towards the Governors House will finish that

November 22^d 1712

A: Spotswood

Resolved That this House will on *Munday* next proceed to take into Consideration the Subject Matter of the Said Message

And then the House Adjourned Till *Munday* Morning Ten a Clock

Munday November the 24th 1712

THE House [according to Order] proceeded to the Consideration of the Governors Message of the 22^d Instant Relating to the Money appropriated for Enlarging the Parish Church of *Bruton* And thereupon

Resolved That this House doth not Agree To give any more towards the Enlarging the Parish Church of *Bruton* than the Sum of Two hundred pounds appropriated for that Purpose in the Year 1710

Ordered That a Suitable Addrefs to the Governor be prepared on the Subject Matter of the Said Refolve for an Answer To his Honours Said Message And that it be Referr'd To *Mr Holloway* and *Mr William Robinson* to prepare and bring in the Same

A Message from the Council by *Mr Robertson*

That their Honours have Agreed To the Bill Entituled *an Act for Continuing an Act Entituled an Act for Security and Defence of the Country in Times of Danger*

Also to the Bill Entituled *an Act for Continuing an Act Entituled an Act for Laying a Duty on Liquors and Slaves And for Appropriating money Sufficient To furnish Nine hundred yards of Duffells And One thousand pounds for the Service and Relief of North Carolina out of the Said Duty and for Appointing a Treasurer without any Amendments*

The House proceeded to take into Consideration the Report of the Committee for Publick Claims made upon their Examination of the Accounts of the Overseers for building the Governor's House And after Some Time Spent therein

Ordered That the Said Accounts be again Considered and Examined by *Mr Nicholas Meriwether* *Mr Allerton* *Mr Marable* and *Mr Littlebury Epes* And that they Report their Opinion therein to the House

And then the House Adjourned Till To Morrow Morning Ten a Clock

Tuesday November the 25th 1712

ORDERED That *Mr Littlebury Epes* *Mr Allerton* *Mr Waller* and *Mr Francis Epes* Do Examine the Severall Inrolled Bills with the Ingrossed Bills

Mr Nicholas Meriwether Reported that the persons appointed had [according to Order] further Examined the Accounts of the Overseers for building the Governor's House And find that the Said Accounts were Justly Stated by the Committee

mittee for Publick Claims Only that there appears to be due to *Henry Cary* One of y^e Said Overseers Three pounds Fifteen Shillings and Six pence more than he hath Credit for in his Account

The House proceeded to the Immediate Consideration of the Report And Thereupon Resolved That this House doth Agree to the Said Report

The Generall Account of M^r *Treasurer* whereby it Appears that there is Due to the Generall Assembly the Sum of £136. 7. 0 $\frac{3}{4}$ passed the House

Ordered That the persons that were appointed to Inspect and Examine M^r *Treasurer's* Accounts Together with M^r *Waller* M^r *Littlebury Epes* and M^r *Francis Epes* do Carry the Said Accounts to the Council and Desire their Concurrence thereunto And that they desire the Governor to give his Assent to the Same

M^r *William Robinson* Reported that the persons Appointed had [according to Order] prepared an Address To the Governour which he Read in his place and then Delivered in at the Table where the Same was again Read and with an Amendment Agreed unto by the House And is as followeth

To the Honourable Alexander Spotwood her Majesties Liev^t Governo^r of Virginia
May it please your Honour

We her Majesties most Loyall Subjects the Burgeesses Asssembled Have Considered your Hono^rs Message of the 22^d Instant Together with the Draught and Computation Sent with it And are Concerned to find That the Sum of Two hundred pounds Appropriated in the year One thousand Seven hundred and Ten Towards the building a Church in *Williamsburgh* and making Conveniencies therein for the Generall Assembly falls So much Short of perfecting that work in the manner Laid Down in the Draught

We are very Sencible that We are much Obligated to your Honour for the Care you took upon you to See that Money Disposed of for the purpose for which it was Intended And we Desire your Honour to Accept of our humble as well as thankfull Acknowledgments for the Same

We Conceive our Selves bound to be Content with Such Conveniencys only as the Sum already Appropriated will procure and Cannot agree to give any More to make them better Especially at this Time having nothing more in our View than how to Extricate this Colony from the Disadvantages it Lys under by the many Sums we are already Obligated to pay

November 25th 1712

Ordered That the Said Address be fairly transcribed and Signed by M^r *Speaker* And that the person that Reported it Together with M^r *Cary* M^r *Gouldman* M^r *Neal* M^r *Byrd* M^r *Ball* M^r *Farquelin* M^r *Harwood* M^r *Joseph Godwin* M^r *Thomas Godwin* M^r *Fax* M^r *Barbar* and M^r *Stannup* Do present the Same to the Governor

M^r *William Robinson* moving for Leave to be Absent from the Service of the House upon his Extraordinary Occasions Leave is accordingly given him

And then the House Adjourned Till To Morrow Morning Ten a Clock

Wednesday November the 26th 1712

MR *Allerton* Moving for Leave to be Absent from the Service of the House on his Extraordinary Occasions Leave is accordingly given him

Ordered That Colonell *Gawin Corbin* late Reciever of the Dutys [arising by the Act Entituled an Act for Laying a Duty on Liquors and Slaves] in the District of *Rappahanock* River Render an Account on Oath to M^r *Treasurer* of the Moneys Arising by the Said Dutys During the Time he was Reciever thereof And pay y^e Same to M^r *Treasurer*

And then the House Adjourned Till To Morrow Morning Ten a Clock

Thursday

Thursday November the 27th 1712

A WRITTEN Message from the Honourable the Liev^t Governor by Mr *Robertson*
Mr Speaker and Gentlemen of the House of Burgeffes

Your Address presented to me yesterday gives me Occasion to let you know that I shall Diminish the Wings projected for the Publick use in the Parish Church of *Bruton* Since I percieve you will be Contented with less Room therein

I expected you would have taken Notice of the latter part of the Message I sent you on the 22th Instant Concerning your Governors House For Since the Overseers Accounts which have been for Some time before you plainly discover that the Money given is all expended And that you are all Eye Witnesses that the building is not yet finished I could not believe it would need any further Recommendation from me Especially being Satisfyed that this Deficiency is owing to the Short Computation of the Expense And not to any unthrifty Management During my time: I therefore hope that you will now for the Honour of your Country appropriate a further Sum for compleating that building And not let it Remain thus to all Strangers a Visible Testimony of an Imprudent undertaking

November the 27th 1712

A Spotfwood

Ordered That the Said Message Do Ly upon the Table

Mr *John Robinson* Reported that the persons appointed had [according to Order] proportioned the Publick Levy And that it amounted to Five and Twenty pounds of Tobacco & Poll For the payment whereof they had prepared a Bill which he presented To the House Together with the Book of Proportions And the Same were Received

The Book of Proportions was Examined and with Some Amendments was Agreed unto by the House

Ordered That the Persons that Proportioned the Publick Levy Together with Mr *Grey* Mr *Simons* Mr *Walk* and Mr *ffrancis Epes* Do Carry the Said Book To the Council and desire their Concurrence thereunto

A Bill for Raifing a Publick Levy was Read the first Time And *Ordered* To be Read a Second Time

And the Bill was Read a Second Time And Some Amendments were made by the House To the Bill

Ordered That the Bill with the Amendments be Ingrossed

The House proceeded to the Consideration of the Governors Message of this day And the Same being Read

Ordered That Mr *John Robinson* Mr *Christopher Robinson* Mr *Conway* Mr *Meriwether* Mr *Fitzhugh* Mr *Armistead* Mr *Bolling* Mr *Soane* Mr *Tully Robinson* Mr *Ball* Mr *Waller* and Mr *Thornton* forthwith make Application to the Governor and know of him what Sum may be Sufficient to finish the Governo^rs House And Report the Same To this House

An Ingrossed Bill for Raifing a Publick Levy was Read the Third Time

Resolved That the Bill Do pass

Ordered That the Persons that were appointed to Carry the Book of Propositions to y^e Council Do Also Carry the Bill for Raifing a Publick Levy To the Council And desire their Concurrence thereunto

Mr *John Robinson* Reported that the Persons Appointed had [according to Order] made Application To the Governor to know of him what Sum might be Sufficient to finish the Governors House And that his Honor was pleased to Say it was very Difficult to make Computations in this Country but that he would Manage it as thriftily as he could And believed according to the best Computation he could make That Six hundred pounds besides what is already expended would finish the work

The House proceeded to the Immediate Consideration of the Said Report And Thereupon

Resolved and accordingly *Ordered*

That

That for payment of the Debt Due upon the Governor's House more than the Money already appropriated will pay And for finishing the Said House And the Appurtenances to it belonging the Sum of Nine hundred pounds be Appropriated out of the fund that shall Arise from an Act made this Session of Assembly Entituled *an Act for Continuing an Act Entituled an Act for Laying a Duty on Liquors and Slaves And for Appropriating Money Sufficient to Furnish Nine hundred yards of Duffells And One thousand pounds for the Service and Relief of North Carolina out of the Said Duty And for Appointing a Treasurer* And that the said Nine hundred pounds be paid by the Treasurer of the Said Continued Impositions for the Time being upon Warrant of the Liev^t Governor or the Governor or Commander in Chief of this Colony for the time being next after the Moneys which now are or hereafter shall During this Session be Ordered To be paid out of the Said fund

Ordered That the Persons appointed to Carry the Bill for Raifing a Publick Levy to the Council Do also Carry a Coppy of the Said Resolve To the Council and Desire their Concurrence thereunto

And then the House Adjourned Till To Morrow Morning Ten a Clock

Fryday November the 28th 1712.

A MESSAGE from the Council by Mr *Robertson*

That the Council have Agreed to the Resolve of this House for Appropriating the Sum of Nine hundred pounds for payment of the Debt Due upon the Governours House and for furnishing the Same

Also that the Council have Agreed To the Book of Proportions And that the Same is Assented To by the Governor

Also that the Council have passed Mr *Treasurers* Accounts And that the Same are Assented to by the Governor

Also that the Council have passed the Bill Entituled *an Act for Raifing a Publick Levy* without any Amendments

Resolved And accordingly *Ordered*

That the Severall persons to whom Money Allowances are made in the Book of Claims be paid their Respective Allowances out of the Moneys that shall arise from the Act Laying Impositions upon Liquors and Slaves next after the Money first Appropriated for the Governor's House And the Money appropriated for *Bruton* parish Church And for the Prison shall be paid

And that the Said payments be made in Order following (To wit) The Allowances made to the Officers of the Last Session of Assembly in the first place The Allowances made to the Officers of this Session of Assembly in the next place And then the Rest of y^e Said Allowances in the Order they Stand in the Said Book of Claims

Ordered That the persons that Carryed the Resolve relating to the Money Appropriated to y^e Governor's House And the Bill for Raifing a Publick Levy To the Council Do also Cary to the Council the Resolve of this House Relating to the Payments to be made To the Severall persons to whom Money Allowances are made in the Book of Claims and Desire their Concurrence thereunto

A Message from the Council by Mr *Robertson*

That the Council have Agreed To the Resolve of this House Relating to the payments to be made to the Severall persons to whom Money Allowances are made in the Book of Claims And that they have Obtained the Governor's Assent thereunto

Mr *Robertson* Acquainted the House that he was Commanded to Deliver to this House a Written Message from the Governor

A State of the Renewal of this Government

A Copy of her Majesties Royall Instructions relating to the *Canada* expedition the Last year

And

And a Report from the Commissioners for Exchange of Prisoners And he presented the Same to the House accordingly

The Written Message from the Governor

M^r Speaker and Gentlemen of the House of Burgeffes

As nothing less than the Safety and Honour of this Country hath Induced me to ask any Supplies from the people So nothing but Necessity hath caused me to Insist upon having them granted And Such Necessity cannot I think be better Setforth than by Laying before you the Charge of this Government Together with the produce of its Revenue which I now Send you Stated as far back as I can find any Regular Accounts kept of the Same

According to the present State of that Revenue you may Observe that without Some Additionall Supply it is not in my power to pay the Setled Sallery's of the Governm^t, And to discharge those Debts which you have Voted to be Just Claims Notwithstanding I have managed your Treasury with more than Ordinary Frugality as will appear by the Article of Contingencys Especially if you compare the Extraordinary Emergencys that have fallen out under my Government with those that have happened during the Time of my Predecessors

The Bounty of the Crown Appears likewise to have been So large towards y^e Support of this Government that I fear your Sovereign may be Offended at your Refusing to bear a Small Expence (I mean that of the Spy Sloop) which was Occasioned by her Majesties tender Regard to the Safety of your Country As you may perceive by a Copy (herewith Sent you) of one of her Royall Instructions relating to the *Canada* Expedition last year

I also now lay before you a Report from the Commissioners for Exchange of Prisoners whereby You may both See how I have endeavoured to Ease you of an Expence and Learn what is their Opinion at home in Relation to Prisoners taken in these parts And let me further Assure you that it is a Standing maxim in your Mother Country (whose power must be Acknowledge to reach hither) That every Plantation shall Support its own Government. Wherefore I cannot Forbear to Advise you for your own Sakes to make a Prudent use of the Liberty you now have to Choose Such ways and means as you shall Judge best for paying the Necessary Charges of your Country

November 28th 1712

A: Spotswood

The said Message being Read Together with her Majesties Royall Instructions And the Report from the Commissioners for Exchange of Prisoners mentioned in the Message the House proceeded to the Immediate Consideration of the Said Message And thereupon

Resolved That the Consideration of the State of the Revenue mentioned in the Said Message be Referr'd to the next Session of Assembly

And then a Debate Arising And upon the Question put

Resolved That an Address to the Governor be prepared in answer To the said Message

Ordered That it be Referr'd to M^r Meriwether M^r Conway M^r Armistead M^r Grey M^r Bolling and M^r Fox to prepare and bring in the said Address

And then the House Adjourned Till To Morrow Morning Eight a Clock.

Saturday November the 29th 1712.

M^R *Nicholas Meriwether* Reported that the persons appointed had (according to Order) prepared an Address To the Governour in Answer To his Honour's Message yesterday Which he Read in his place and then Delivered in at the Table Where the Same was again Read and Agreed unto by the House And is as followeth

To the Honourable Alexander Spotswood her Majesties Lieut^t Governor of Virginia
May it please your Honour

We

We her Majefties moft Dutifull and Loyall Subjects the Burgeffes now Affembled Humbly beg Leave to Reprefent to your Hono^r that upon the Receipt of your Honours Meffage yefterday And the State of the Revenue And other Papers therewith Tranfmitted We Immediately proceeded to the Confideration of the Same And after Some time Spent therein We came to this Refolution That the Confideration of the State of y^e Revenue be Referr'd till the next Seffion of Affembly.

Our Opinion being that a Due Confideration of the State of the Revenue is a work that Requires a great Time, was one Motive to us to put it off now Since We have Sat So long already And the Winter Seafon is So far Advanced And in regard We Conceive we fhall be the better Inabled to make a Suitable Anfwer to your Honours Meffage after a full Confideration had of y^e State of the Revenue We humbly hope your Honour will not be difpleafed That We do not proceed at this Time to final Refolutions upon the Subject Matter of your Meffage.

November the 29th 1712.

Ordered That the Said Addrefs be fairly Tranfcribed and Signed by M^r *Speaker*

Ordered That the Perfons that prepared the Said Addrefs Together with M^r *Harwood* of *Warwick* M^r *Joseph Godwin* M^r *Thomas Godwin* M^r *Wright* M^r *Thornton* M^r *Simons* M^r *ffrancis Epes* and M^r *Drumond* Do prefent the Same To the Governor

Ordered That the Committee of Propofitions and Grievances do Carry the Enrolled Bills To the Council for their Examination and perufall

A Meffage from the Council by M^r *Robertfon*

That the Council have perufed and Examined the Severall Inrolled Bills Sent to them by this Houfe And that they are Satisfied the Said Bills are truly Enrolled.

A Meffage from the Governor by M^r *Robertfon*

M^r *Speaker*

The Governor Commands the Immediate Attendance of this Houfe in y^e Council Chamber And that you bring with You Such Bills as are ready for his Affent And M^r *Speaker* with the Houfe went to Attend the Governor where he was pleafed to pafs the Severall Bills following To wit

An A^{ct} for Continuing an A^{ct} Entituled an A^{ct} for Security and Defence of the Country in Times of Danger.

An A^{ct} to Continue an A^{ct} Entituled an A^{ct} for Appointing Rangers And for Encreafing their pay

An A^{ct} for Continuing an A^{ct} Entituled an A^{ct} for Laying a Duty on Liquors and Slaves And for Appropriating Money Sufficient to furnifh Nine hundred yards of Duffells And One thoufand pounds for the Service and Relief of North Carolina out of the Said Duty And for Appointing a Treasurer.

An A^{ct} to pvent Land Lapping from Infants for not Seating and planting Or not paying Quit Rents untill Three years after they come of Age.

An A^{ct} for Appointing Rolling Houfes and Publick Landings and Afcertaining the Prices of Storage.

An A^{ct} for Raifing a Publick Levy

An A^{ct} to Enable William Manley Gould to Sell and Difpofe of Certain Entailed Lands and Tenements Lying in the County of Westmoreland On Selling other Lands and Tenements Lying in the Said County of which he is Seized in ffee to the Same Ufes.

JOURNAL

OF THE

HOUSE OF BURGESSES

AT A

GENERAL ASSEMBLY

begun at her Majesty Queen ANNE Royal Capitol
the Twenty Second Day of *October* in the Eleventh
year of the Reign of our Sovereign Lady ANN
Queen of *Great Brittain France and Ireland*
Annoq³ Domini 1712. And thence Continued
by Several Prorogations to the Fifth Day of
November 1713 And in the Twelfth year of her
Majestys Reign



RICHMOND, VIRGINIA.

MCMXI.

JOURNAL

of the

HOUSE OF BURGESSES

Thursday, November the 5th 1713.

MR. *Speaker* and Twenty Six Burgesses being met in the House
Ordered That the House be called over To Morrow Morning
 And then the House Adjourned till To Morrow Morning Ten a Clock

Friday November the 6th 1713.

THE House (according to Order) was called over
Ordered That Mr *Gouldman* Mr *Harwood* of *Warwick* Mr *Thornton* Mr *Armistead* and Mr *Marable* wait on the Governor and Desire him to issue out a New Writt for the Electing a Burgess to Serve in this Assembly for the County of *Effex* in the Room of *Francis Meriwether* Gentleman Deceased And that they also Desire him to issue out a New Writt for y^e Electing a Burgess to Serve in this Assembly for the County of *Warwick* in the Room of *William Cary* Gentleman Deceased

Ordered That the Absence of those Members that did not appear at the calling over the House be excused Till the next time the House shall be called over

A Petition of *Benjamin Goodwin* Clerk was presented to the House and Read Praying to be Continued Chaplain to the House

Ordered That he be Continued Chaplain according to the Prayer of his Petition And that he Attend each Morning in the Conference Room by Nine of the Clock and Read Divine Service

Ordered That *Thomas Francis Edward Dyer* *Andrew Elmse* and *George Rimington* be Continued Doorkeepers to the House And that they Give their Attendance Accordingly

The Orders of the House for Last Session being Read at the Table

Resolved That the House Do approve of the Same And that they Continue Orders for this Session

Ordered That the Said Orders Lye constantly upon the Table for the perusal of the Members

Ordered That the House be called over as often as Shall be thought Convenyent And that those Members who Shall be wanting in their Duty of Attendance be Lyable to the Censure of the House

Resolved and accordingly *Ordered*

That it be a Standing Rule of this House that Fifteen Members with the Speaker shall be a Sufficient Number to Adjourn

A Committee for Elections and Priviledges

M^r William Robinson ChairmanM^r Meriwether M^r AllertonM^r Soane

Ordered That M^r Miles Cary be Continued Clerk of the Said Committee And that he Give his Attendance Accordingly

A Committee for Publick Claims

M^r Buckner ChairmanM^r Ball M^r Christopher NealM^r Eskridge M^r Littlebury EpesM^r ffox M^r ArmisteadM^r Barbar M^r Marable

Ordered That M^r Miles Cary be Continued Clerk of the Said Committee And that he Give his Attendance Accordingly

A Committee for Propositions and Grievances

M^r Holloway ChairmanM^r William Robinson M^r AllertonM^r Christopher Robinson M^r WallerM^r Meriwether M^r Tully RobinsonM^r Soane M^r GouldmanM^r Fitzhugh M^r Francis Epes

Ordered That M^r John Clayton be Continued Clerk of the Said Committee And that he Give his Attendance Accordingly

Ordered That the Committees have power to Adjourn themselves *De Diem Diem* and to Send for Perfons Records Journals and other Papers they Shall from time to time have Occasion of

Resolved and Accordingly Ordered

That all Propositions Grievances and Publick Claims be brought into the Houfe on *ffriday* next at furthest or not to be Received in this Sesssion of Asssembly without particular Leave of the Houfe

Ordered That the Clerk of the Houfe Publish the furthest time Set by the Houfe for Receiving Propositions Grievances and Publick Claims during this Sesssion by Seting up a fair Copy of the Resolve of the Houfe made in that behalf

Ordered That the Committee of Propositions and Grievances Inspect y^e Journal of this Houfe at the last Sesssion and Report to the Houfe what they find Necessary to be taken into Consideration this Sesssion

Ordered That the Committee for Publick Claims Inspect the Report of the Committee of Claims at the last Sesssion And Report to the Houfe what they find Necessary to be further Considered this Sesssion

Resolved and accordingly Ordered

That all Petitions Propositions and Grievances Directed for the last Sesssion of Asssembly And not then Considered be Admitted to the Consideration of this Sesssion

Severall Publick Claims from the Countys of

Henrico Northumberland

Surry Prince George

York Charles City

and Nanfemond

Were presented to the Houfe and Refer'd to the Consideration of the Committee for Publick Claims to Examine the Matter thereof And Report the Same with their Opinion therein to the Houfe

A Message from the Governor by M^r RobertsonM^r Speaker

The Governor Commands the Immediate Attendance of this Houfe in the Council Chamber

Accordingly

Accordingly Mr *Speaker* with the House went up to Attend the Governor And being Returned Mr *Speaker* Reported That acc'ding to the Governors Commands they had been to wait on him in the Council Chamber where he was pleased to make a Speech of which having obtained a Copy he Should not trust to his Memory to Acquaint the House with the Contents but prayed the favour of the House to permit him to Read the Copy which he Read And is as followeth *Viz*

Gentlemen of the Council and House of Burgeffes

Peace ever comes Attended with innumerable benefits, So that I hope We shall in this Meeting be able happily to lay hold of Some of them, And as We are in Duty bound to make our thankfull Acknowledgments, both to God for mercifully bestowing this blessing upon us, And to our Sovereign for graciously labouring to procure it; So I think We cannot expresse our gratefull Sense thereof better than by pursuing the Ends for which it was given us, That is, by heartily Vniting our Selves, and Sincerely endeavouring to Promote Religion, and Cultivate the Arts of Peace

You Gentlemen of *Virginia* might feel as Early as any of her Majestys Subjects the Advantages of this Peace, if an Assembly would as readily Concurr to prevent pernicious Practices, as a Parlyament has enclined to Redress Grievances in your Tobacco Trade; And without you do your parts in this Colony I fear all means used else where will Scarce make it flourish; for here is certainly an Evil at the very Root of this Trade, which may demonstrably appear to be the present Method the Country is in of Discharging Debts and Levys by tobacco payments, for from hence most evidently proceeds the Exportation of all that Trash which Ruines your Markets abroad, and daily Lessens the Reputation of your Commodity in *Europe*. This gives an unhappy occasion to the breeding up too many persons in a fraudulent way of dealing. Besides the Publick Credit is so Sunk by these payments, that as now no Service is readily performed for them, So I am confident no Money could in any Exigency be borrowed upon the faith of them; In Short there is So much folly and Iniquity in y^e Practice, that it can by no means Square either with policy or Justice, And therefore I hope you'l Judge it Worthy of your consideration how to apply Some Remedy to this Evil.

The next Matter I shall Recommend to you is the providing more effectually for the Security of your Frontiers against fforeign Indians, who notwithstanding the many partys of Rangers have Since these have been on foot killed and carryed off at least Twenty of our outward Inhabitants and Tributary Indians; I have Attempted by Severall ways to Oppose those Incursions but after Some trouble and expence have only Experienced that our People are not disposed for Warlike undertakings; Whereupon I have begun to try what may be done for their Safety by way of treaty, but do Resolve to conclude it upon no other Terms than Such as I shall find to be entirely agreeable to you; The generality of our Tributarys have of late approved themselves to be very ready and faithfully Allied, And I am perswaded that the Setling them Along our Frontiers without all our Inhabitants (if it could be done under Such a Regulation as would make them willing to Remove) would be a better and cheaper Safe guard to the Country than the old Method of Rangers.

The Clothing you intended for the Relief of *North Carolina* has all been bought up and Delivered, but the Greatest part of the Thousand pounds Still Remaines unexpended, which has been Occasioned by that Governments Declining to Joyn in Such Measures as I might reasonably think this Sum was appropriated for. You shall have Laid before you a particular Accompt of what has been expended whereby may be observed that part has been for Stores of Warr Sent to *North Carolina*, And the rest for Expeditions undertaken against the Same Indians who were fighting against that Government.

At the Same time that I put you in mind of Some timely Repairs for the Capitol And of the Trustees for the City of *Williamsburgh*, being Accountable to none but the General Assembly; I think it proper to Informe you that there has been a necessity of Refurveying and marking out a new the bounds and Streets of this place; And I wish
you

you Joyned in Opinion with me, that to Give Some Assistance to this Infant Town, towards building a Market House, bettering the Landings, and Securing a few Publick Springs, would not only Redound to the Credit of the Country when Strangers Resort hither, but would likewise be for the benefit of all those whose business calls them to the Assemblies And Generall Courts

Gentlemen

I shall at present Offer nothing further to take up your time Seeing the Advancement of your Staple Commodity, and the Defence of your Country, which I have now Recommended to your Consideration, are two Such Considerable points as may justly Claim a large part in the deliberations of a Session, So I conclude with my earnest prayers to God to Direct you in your Consultations

And the Same being Again Read at the Table

Resolved That this House will to Morrow Morning Resolve it Self into a Committee of the whole House to Consider of the Said Speech

And then the House Adjourned till To Morrow Morning Ten a Clock

Saturday November the 7th 1713.

SEVERAL Publick Claims from the Countys of
Lancaster.....*Stafford*
James City.....*Isle of Weight*
King and Queen.....*Elizabeth City*

Were presented to the House and Refer'd to the Consideration of the Committee for Publick Claims to Examine the matter thereof And Report the Same with their Opinion therein to the House

A Grievance from the County of *Nansemond* being Read

Ordered That the Consideration of the Said Grievance be Refer'd to the Committee of Propositions and Grievances to Report their Opinion thereon

A Proposition from the County of *Lancaster* being Read

Ordered That the Consideration of the Said Proposition be Refer'd to the Committee of Propositions and Grievances to Report their Opinion thereon

The House (according to Order) Resolved it Self into a Committee of the whole House to Consider of the Governors Speech and after Sometime Spent therein Mr *Speaker* Refumed the Chair And Mr *Holloway* Reported from the Committee that they had come to Some Resolutions which they had Directed him to Report Which he Read in his place and afterwards Delivered in at the Table Where the Same were Read and Agreed unto by the House and are as follow *Vizt*

Resolved That an Humble Address to her Majesty be prepared upon the present Peace And that the Council be desired to Joyn in the Said Address.

Resolved That a particular Committee be appointed to Inspect and collect together all the Laws in force relating to Tobacco And Report the Same with their Opinion thereon to the House And also Report what Proposals they think may be for the Improvement and Advantage of the Tobacco Trade

Mr *Holloway* also Acquainted the House that he was directed by the Committee to move that they may leave to Sit again

Resolved That this House will upon Munday Morning next Resolve it Self into a Committee of the whole House to Consider further of y^e Governors Speech

Mr *Holloway* Mr *William Robinson* Mr *Christopher Robinson* and Mr *Buckner* were (pursuant to a Resolve of this Day) Nominated a Committee to Inspect and Collect together all the Laws in force relating to Tobacco And they are Ordered to Report according to the Said Resolve

Ordered That the Clerk of the Committee of Propositions and Grievances be Clerk to this Committee And Give his Attendance accordingly

Ordered

Ordered That a Message be Sent to the Council to Acquaint them that this House have Resolved to prepare an Humble Address to her Majesty upon the present Peace And that the House Desires their Honours to Joyn with them in the Address And Appoint Such of their Members as they shall think fit to Joyn with Such Members of this House as Shall be appointed to prepare and draw up the Same

Ordered That the Committee of Propositions and Grievances Do Carry the Message to the Council

A Petition of the Vestry of the Parish of St Marys in the Countys of *Effex* and *Richmond* in behalf of themselves and the rest of the Parishoners of the Said Parish was presented to the House and Read Praying that Leave may be given to bring in a Bill for Dividing y^e Said Parish into Two Distinct Parishes by the River of *Rappahanock*

Ordered That Leave be given to bring in a Bill according to the Prayer of y^e Said Petition and that Mr *William Robinson* Mr *Thornton* and Mr *Gouldman* Do prepare and bring in the Bill

And then the House Adjourned till *Monday Morning Ten a Clock*

Monday November the 9th 1713

SEVERAL Claims from the Countys of *King William* and *New Kent* were presented to the House and Refer'd to the Consideration of the Committee for Publick Claims to Examine the Matter thereof And Report the Same with their Opinion therein to the House

Upon a Motion made

Ordered That a Committee be appointed to Inspect all the Temporary Laws and see which of the Said Laws are expired or near expiring and fit to be Revived or Continued And Report the Same to the House

And a Committee was appointed accordingly (to wit) Mr *Waller* Mr *Conway* and Mr *Boush*

A Message from the Council by Mr *Robertson*

Mr *Speaker*

I am Commanded by the Council to Acquaint this House that they are willing to Joyn with this House in an Humble Address to her Majesty on Occasion of the present Peace And that they have appointed two of their Members to Joyn with Such Members of this House as they shall think fit to Appoint to prepare and draw up the Same And that the Members Appointed by the Council will be Ready in the Conference Room at three of the Clock in the Afternoon to meet the Members appointed by this House for that purpose

Accordingly Mr *Holloway* Mr *William Robinson* Mr *Christopher Robinson* and Mr *Buckner* were appointed to meet in the Conference Room at three a clock in the afternoon And with the Members appointed by the Council to prepare and draw up the Said Address

The House (according to Order) Resolved it Self into a Committee of the whole House to Consider further of the Governors Speech and after Some time Spent therein Mr *Speaker* Resumed the Chair and Mr *Holloway* Reported from the Committee that they had come to Some Resolutions which they had directed him to Report to the House which he Read in his Place and afterwards delivered in at the Table where the Same were Read and with an Amendment to one of them agreed unto by the House and are as follow *Vizt.*

Resolved That the Consideration of that part of the Governors Speech relating to the Security of our Frontiers and Settling the Tributary Indians without our Inhabitants be Refer'd to a further time

Resolved

Resolved That it be Refer'd to a particular Committee to Consider the Subject Matter of that Paragraph of the Governors Speech Relating to y^e Capitol and the City of *Williamsburgh*

Mr *Holloway* also Acquainted the House that the Committee had directed him to Move that they may have Leave to Sit again

Resolved That this House will upon *Thursday* morning next Resolve it Self into a Committee of the whole House to Consider further of the Governors Speech

Mr *Eskridge* Mr *Allerton* Mr *Soane* and Mr *Meriwether* were (pursuant to a Resolve of this day) Nominated a Committee to Consider the Subject Matter of that Paragraph of the Governors Speech relating to the Capitol and the City of *Williamsburgh* And they are to Report their Opinion thereon

The Return of the Writt for the Electing a Burgefs for the County of *Norfolk* to Serve in this present Assembly in the Room of Mr *James Willson* Deceased was brought into the House and Referred to the Consideration of the Committee for Elections and Privileges to Report their Opinion thereon

And then the House Adjourned till To Morrow Morning Ten a Clock

Tuesday November the 10th 1713.

SEVERAL Claims from the Countys of *New Kent* and *Westmoreland* and a Claym of *Robert Pryors* of *Gloucester* County were presented to the House And Refer'd to the Consideration of the Committee for Publick claims to Examine the Matter thereof And Report the Same with their Opinion therein to the House

A Petition of *Robert Whood* was presented to the House and Read Praying an Allowance for a Mare lost in Ranging

Ordered That the Consideration of the Said Petition be Refer'd to the Committee of Claims to Report their Opinion thereon

Mr *Holloway* from the Committee of Propositions and Grievances Reported that the Said Committee had taken into Consideration severall of the Matters to them Refer'd And therein had come to Several Resolutions Which he Read in his place and afterwards Delivered them in at the Table where being again Read The House proceeded to the Immediate Consideration of the Said Report

And upon Consideration of the Report of the Said Committee made upon the Inspection of the Journal of this House made at the last Session wherein they find That the Consideration of the Proposition from the County of *Norfolk* That Incouragement be given for making flax Hemp Cotton and Wool Stands Refer'd to this Session of Assembly.

And that the Consideration of the Proposition from the County of *Princes Ann* That the making Flax Hemp Cotton and Wool may be encourag'd by Law Stands Refer'd to this Session of Assembly

And that the Consideration of the Proposition from the Said County of *Princes Ann* That the Sallary of Burgeffes and the Charge of Assemblys be paid in Money to be Raised by Impositions and Dutys on Goods imported from all places except from *Europe* Stands Refer'd to this Session of Assembly

And that the Consideration of the Proposition from the Said County of *Princes Ann* That a new Court house Prison Stocks and Pillory may be Erected at Some convenient place near the Center of the said County Stands Refer'd to this Session of Assembly

After a Debate The Question was put That the Report of the Committee be Agreed to

It was Resolved in the Affermative and thereupon

Resolved That the Severall Propositions above mentioned be further Refer'd to the Consideration of the next Session of Assembly

And

And upon Consideration of the Report made by the Said Committee That they do find in the Said Journal That on Consideration of the Grievance from the County of *Nansemond* Setting forth That the Court House of the Said County is Scituated in an Inconvenient place And praying the Same may be Removed It is Ordered that y^e persons Representing the Said Grievance The Justices and all others who desire to Oppose the Removing the Said Court house Should be heard before this House on the Eighth day of this Session of Assembly

And on Consideration of the Petition of Divers freeholders of y^e Said County of *Nansemond* prefer'd to this House at this Session Praying that they may be heard on the Matter of the Said Grievance and be Relieved therein

The House Agreed to the Report of the Committee *Vizt*

Resolved That the persons Petitioning for the Removal of the Said Court house and all who desire to Oppose the Same be heard thereupon before this House

And upon Consideration of the Report of the Said Committee made upon the Grievance from the County of *Lancaster* Representing That the Suffering too many Horses and Mares to Run in Common is very pjudicial to many People

The House Agreed to the Report of the Committee *Vizt*

Resolved That the said Grievance ought to be Redressed And that it may be properly done by a Bill to be brought in on the Subject Matter of the Said Grievance

Ordered That the Committee of Propositions and Grievances do prepare and bring in the Bill

Mr *William Robinson* (according to Order) presented to the House a Bill for Dividing St. Marys Parish And the Same was Received and Read the first time And Ordered to be Read a Second time

Mr *Waller* Reported from the Committee appointed to inspect y^e Temporary Laws That the Said Committee had Considered the Matters to them Refer'd And Agreed upon Several Resolutions which he Read in his place And afterwards Delivered in at the Table where the Same were Read (and with an Amendment to one of them) Agreed unto by the House And are as follow *Vizt*

Resolved That the Act Entituled an Act for the Regulation and Settlement of fferrys and for Dispatch of Publick Expresses Expiring at the End of this present Session of Assembly be Continued

Resolved That the Act Entituled an Act for prevention of abuses in Tobacco Shipped on ffreight expiring the Twenty ffifth day of December next be Continued

Resolved That the Act Entituled an Act for Supply of certain Defects found in an Act prescribing the Method for Appointing Sheriffs expiring at the End of this p^sent Session of Assembly be Continued

Resolved That the Act Entituled an Act Prohibiting Seamen being harbored or Entertained on Shoer being Expired be Revived

Resolved That the Continuance of the Act Entituled an Act for Appointing Rangers And for Encreasing their Pay (expiring the One and thirtyeth day of January next) be Refer'd to the Consideration of the House

Ordered That the Consideration of the Continuance of the Said Act be Refer'd till Monday next

Ordered That a Bill or Bills be brought in upon the Said Resolutions And that Mr *Waller* Mr *Conway* and Mr *Boush* Do prepare and bring in the Same

And then the House Adjourned till To Morrow Morning Ten a Clock

Wednesday November the 11th 1713.

A PETITION of *Philip* and *Margaret Jones* Refer'd by the Council to the Consideration of this House was Read Praying a reward of Forty pounds (pursuant to Act of Assembly) for killing Two *Tuscarora* Indians

A Petition of *John Hartwell* was presented to the House and Read Praying a further Allowance for Some Punchions or Pallizados for which he was not fully Allowed the last Session of Assembly

A Petition of *Richard Buckner* was presented to the House and Read Praying an Allowance for four Copys of the Laws and Journals of the last Session of Assembly Delivered to the Governor As also for a Copy of the Said Laws Delivered into the Secretarys Office.

A Petition of *James Adams* Refer'd by the Governor and Council to the Consideration of this House was Read Praying an Allowance for being Interpreter to the *Pamoukeq* and *Chiccohomony* Indians the last year

A Petition of *Henry Brigs* Refer'd by the Council to the Consideration of this House was Read Praying to be Allowed his yearly Sallary and for other Services as Interpreter of the Indians

A Petition of *Christopher Smith* Lieu^t of the Rangers in *King William* County in behalf of himself and the men under his Command (Refer'd by the Governor and Council to the Consideration of this House) was Read Praying an Allowance for their Service as Rangers according to Law

A Petition of *John Cembrough* a Pentioner was presented to the House and Read Praying his usual Allowance

Ordered That the Consideration of the Said Petitions be Refer'd to the Committee for Publick Claims to Report their Opinion therein

Several Claims from the Countys of *York Middlesex* and *James City* were presented to the House And Refer'd to the Consideration of the Committee for Publick Claims to Examine the Matter thereof and Report the Same with their Opinion therein to the House

A Proposition from the County of *James City* was Read and Refer'd to the Consideration of the Committee of Propositions and Grievances to Report their Opinion thereon

A Bill for Dividing S^t *Marys* Parish was Read a Second time

Ordered That the Bill be Ingrossed

Mr *Holloway* Reported that the Members appointed by this House together with Members appointed by the Council to draw up an Humble Addrefs To her Majesty had drawn up an Addrefs accordingly which they had Directed him to Report to the House Which he Read in his place and afterwards Delivered in at the Table where the Same was Read and Agreed unto by the House

Ordered That Mr *Holloway* Mr *William Robinson* Mr *Christopher Robinson* and Mr *Buckner* Do Cary the Addrefs to the Council and Acquaint them that this House have Agreed to the Same as Reported and desire their Concurrence thereunto

A Message from the Council by Mr *Robertson*

That the Council have Agreed to the Addrefs Just now Sent up to that Board (with an Amendment) To which they desire the Concurrence of this House.

The House proceeded to the Immediate Consideration of the Said Amendment And the Same was Read and Agreed unto by the House

Ordered That the Said Addrefs with the Amendment be fairly transcribed in Order to its being Sign'd

Ordered That the Gentlemen that carryed the Addrefs to the Council Do Acquaint them that this House have Agreed to the Amendment by them proposed And have Ordered the Addrefs with the Amendment to be fairly transcribed in Order to its being Sign'd

And then the House Adjourned till To Morrow Morning Ten a Clock
To the Queens most Excellent Majesty The humble Addrefs of the Council and Burgeffes of Virginia
May it please your Majesty

We your Majestys most Loyal and Dutiful Subjects the Council and Burgeffes of *Virginia* met together in Assembly Do take this first Opportunity to felicitate your Majesty upon the late Glorious and happy Peace in which you have not only procured Vast Advantages to your own Dominions but by a most Extensive Goodness have also Consulted the Interest and Safety of your Allys. Never did the *British* Troops Obtain

So many Triumphs as while your Majesty thought it Necessary for the Safety of *Europe* to make War And never did the *Brittish* Councils gain So Just a Reputation as Since in Compassion to the Miserys of Mankind you have Judg'd it time to make Peace. It is an Honour peculiar to your Majesty that as your Enemys have for many Campaigns confessed the force of your Arms they now Acknowledge your Justice by Submitting the Pretentions of the Allies to your Majestys wife decision

If your Enemy then Madam are So ready in Sight of all the Disgraces they have Received to own your Royal Vertues who amongst your Subject can be Silent on So Glorious an Occasion When by your Majestys prosperous Efforts the Ballance of Power is Setled the Libertys of *Europe* Recovered the Swelling Ambition of *ffrance* Shut up within its proper bounds The Protestant Succession to your own Kingdoms Secured The Trade of your People enlarged and a Safe and Honourable Peace concluded: Thus your Majesty has at last by the blessing of the Almighty compass'd the Great and just Ends for which you enter'd into the War And for which your faithfull Subjects with a chearfullness beyond all Example have Supported the Expence and Calamitys of it

Tho there be none of your Majestys People who have Suffer'd more in the Ruin of their Trade and in the decay of their Staple Commodity than your Loyal Subjects of this Dominion Yet the Glory your Majesty has gain'd during the War And the prospect of a happy Peace has made them forget their Misfortunes: In the midst of Poverty We are Sensible of the many blessings of your Reign And particularly have reason to thank your Majesty in the humblest manner for your Great Goodness in Sending us So Wise and Just a Liev^t Governor who was not only Industrious to Secure us in time of War But dos Assist us to Improve the Arts of Peace And will We hope Recommend us to your Royal favour whose Glory it is to Reign in the hearts of your People And be a Nursing Mother to all your Subjects

May the Great God who is King of Kings and by whom Princes Reign preserve your Majestys Precious life for many year may you long Continue the Dread of your Enemys And the happiness of your own People As you will certainly be the Ornament of History and the Wonder and Example of all Posterity

Thursday November the 12th 1713.

A MESSAGE from the Council by Mr *Robertson*
Mr *Speaker*

I am Commanded by the Council to Acquaint this House that on Consideration of the last Message Sent up to them by this House Relating to the Address to her Majesty All their Members have agreed to Sign the Same And that they desire the Address when fairly transcribed may be Sent up for that purpose

Ordered That Mr *Holloway* Mr *William Robinson* Mr *Christopher Robinson* and Mr *Buckner* Do (according to the Councils Desire) Carry the Address to their Honours for their Signing

Several Publick Claims from the County of *James City* were presented to the House and Refer'd to the Consideration of the Committee for Publick Claims to Examine the Matter thereof And Report the Same with their Opinion therein to the House

A Petition of Mr *Secretary Cocke* (Refer'd by the Council to the Consideration of this House) was read Praying to be Allowed for Three Writts issued out of his Office for the Election of Burgesses to Serve in this Assembly

A Petition of *Chicheley Corbin Thacker* Clerk of the Secretarys Office (Refer'd by the Council to the Consideration of this House) was Read Praying an Allowance for Publick Services

Ordered That the Consideration of the said Petitions be Refer'd to the Committee for Publick Claims to Report their Opinion thereon

Mr

Mr Waller (according to Order) presented to the House a Bill for Continuing an Act Entituled an Act for prevention of abuses in tobacco shipt on ffreight

A Bill to Continue an Act Entituled an Act for Supply of certain Defects found in an Act prescribing the Method for appointing Sheriffs

A Bill for Continuing an Act Entituled an Act for the Regulation and Settlement of Ferrys and for Dispaich of Publick Expreffes

A Bill for Reviving and Continuing an Act Entituled an Act Prohibiting Seamen being harboured or entertained on Shoar

And the Same were Received and Read the first time And Ordered to be Read a Second time

An Ingrossed [Bill] for Dividing St Marys Parish was Read the Third Time

Resolved That the Bill do pass

Ordered That Mr William Robinson Mr Thornton Mr Gouldman Mr Ball Mr Conway and Mr Christopher Robinson Do Carry the Bill to the Council and Desire their Concurrence thereunto.

A Petition of Thomas Thornton was presented to the House and Read Praying an Allowance of Fourteen hundred pounds of tobacco for Seven Months Service as a Look out on the Sea Shoar

Ordered That the Consideration of the Said Petition be Refer'd to the Committee for Publick Claims to Report their Opinions thereon

Ordered That the Petitioner have Leave to prove his Claim by his Oath before the Said Committee The Same not being proved at a Court of claims

The order of the Day being Read for the House to Resolve it Self into a Committee of the Whole House To Consider further of the Governors Speech

Resolved That this House will upon Saturday Morning next Resolve it Self into a Committee of the whole House to Consider further of the Governors Speech

Resolved That a Suitable Address to the Governor be prepared upon the Said Speech

Ordered That Mr Eskridge Mr Allerton Mr Waller and Mr Epes do prepare and bring in the Same

And then the House Adjourned till To Morrow Morning Ten a Clock

Friday November the 13th 1713.

MR Eskridge Reported from the Committee appointed to prepare an Address to the Governor (upon the Resolution yesterday) That they had prepared an Address accordingly Which they had Directed him to Report to the House which he Read in his place and afterwards delivered in at the Table where the Same was Read and (with some Amendments) agreed unto by the House And is as followeth Vizt

To the Honourable Alexander Spotswood her Majestys Lieu^t Governor of Virginia

The Humble Address of the House of Burgeffes

May it please your Honour

We her Majestys most Dutiful and Loyal Subjects the Burgeffes now assembled Return to your Honour our most humble and unfeigned thanks for the favour of your Speech this Session And We pray your Honour to believe that nothing less than our earnest desire to Address her Majesty upon the Peace with the utmost Expedition could have kept us So long from making these Acknowledgments. The Subject Matter of your Speech Doth plainly Discover an hearty desire in your Honour for the happiness of this Country And that the Advancement of its Trade and preservation of its Peace have a Great Share of your thoughts

This Consideration does not only Prompt but Encourage us also to proceed to an Inquiry by what ways and means the Value of our Staple Commodity now Sunk to an Intollerable

Intollerable Lownefs may be beft Raifed and Advanced, We fear many difficultys will Occur in the Prefervation of the Work but the Senfe of our own Intereft will caufe us to Exert our utmoft to overcome them And We hope they are not Infuperable

We fhall proceed in the Confideration of the Several Matters Recommended to us by your Honour And of all our other Affairs with convenient Difpatch And hope this Seffion will end in an happy Concurrence.

Ordered That the Said Addrefs be fairly Tranfcribed and Signed by Mr *Speaker*

Resolved That the Said Addrefs be pſented to the Governor by the whole Houfe

Ordered That the Gentlemen that prepared the Said Addrefs and Eight Others do know the Governors pleaſure when he will be Attended by this Houfe

A Claim of *John Broadnax* with Several Papers relating thereto was preſented to the Houfe and Refer'd to the Confideration of the Committee for Publick Claims to Examine the Matter thereof And Report the Same with their Opinion therein to the Houfe

A Petition of the Said *Broadnax* was preſented to the Houfe and Read Praying that what Tobacco fhall be proportioned to him this Affembly may be in *York* or *James City County*

Ordered That the Said Petition be Refer'd to the Committee for Publick Claims to whom his Claim with the Papers relating thereto was Refer'd

A Claim of *Sufanna Allen* was preſented to the Houfe and Refer'd to the Confideration of the Committee for Publick Claims to Examine the Matter thereof And Report the Same with their Opinion therein to the Houfe

A Bill for Continuing an Act Entituled *an Act for prevention of Abuses in Tobacco ſhipt on ffreight* was Read a Second time

A Motion being made and the Queſtion being put that the Bill be Ingroſſed

It paſſed in the Negative

A Bill to Continue an Act Entituled *an Act for Supply of certain Defects found in an Act preſcribing the Method for Appointing Sheriffs* was Read a Second time

Ordered That the Bill be Ingroſſed

A Bill for Reviving and Continuing an Act Entituled *an Act Prohibiting Seamen being Harboured or Entertained on Shoar* was Read a Second Time and Several Amendments were made by the Houfe to the Bill

Ordered That the Bill with the Amendments be Ingroſſed

Mr *Eskridge* acquainted the Houfe that the Governor having (according to Order) been waited upon to know when he would pleaſe to be Attended by this Houfe his Honour had been pleaſed to Appoint to Morrow Morning at Eleven a Clock in the Council Chamber

Ordered That the Several Members of this Houfe Attend to Morrow Morning at Ten a Clock in Order to Sign the Addrefs to her Majeſty

And then the Houfe Adjourned till To Morrow Morning Nine a Clock

Saturday November the 14th 1713.

MR *Speaker* Reported That the Houfe had been to attend the Governor with their Addrefs And that his Honour was pleaſed thereupon to Give this Answer Vizt

Gentlemen

I heartily thank you for this Addrefs It is an extream Satisfacōn to me to underſtand that you are Senſible of my honeſt indeavours to promote the welfare of this Country And alſo to find So fair a Proſpect of an happy union and concurrence this Seffion

Mr *Holloway* Reported from the Committee appointed to inſpect and collect together all the Laws in force relating to Tobacco who were alſo Ordered to make Propoſalls for the Improvement of the Tobacco Trade That they had accordingly made a

Collection

Collection of y^e Said Laws And had drawn up Such Propofalls as they think may be for the Improvement and Advantage of the tobacco Trade which they had directed him to Report to the Houfe which he Read in his place and afterwards Delivered in at the Table where the Same were again Read

Ordered That the Said Report be taken into Confideration on *Wednesday* next

An Ingrossed Bill to Continue an Act Entituled *an Act for a Supply of certain Defects found in an Act prescribing the Method for Appointing Sheriffs* was Read the third Time

Resolved That the Bill do pass

An Ingrossed Bill for Reviving and Continuing an Act Entituled *an Act Prohibiting Seamen being harboured or Entertained on Shoar* was Read the Third Time

Resolved That the Bill do pass

Ordered That Mr *Waller* and five Members more do Carry the Bills to the Council and Desire their Concurrence thereunto

The Order of the Day being Read for the Houfe to Resolve it Self into a Committee of the whole Houfe to Consider further of y^e Governors Speech

Resolved That this Houfe will upon *Thursday* Morning next Resolve it Self into a Committee of the whole Houfe to Consider further of the Governors Speech

Mr *Eskridge* Reported that the persons appointed had (according to Order) Considered the Subject Matter of that Paragraph of the Governor's Speech Relating to the Capitol and the City of *Williamsburgh* And thereupon had come to Some Resolutions which they had directed him to Report to the Houfe Which he Read in his Place and afterwards delivered in at the Table where the Same were again Read

Ordered That the Said Report be taken into Confideration on *Monday* next

And then the Houfe Adjourned till *Monday* Morning Ten a Clock

Monday November the 16th 1713.

A BILL for Continuing an Act Entituled *an Act for the Regulation and Settlement of fferrys And for Dispatch of Public Expresses* was Read a Second time and Several Amendments were made by the Houfe to the Bill

Ordered That the Bill with the Amendments be Ingrossed

Ordered That the Confideration of the Continuance of the *Act for appointing Rangers and for Increasing their Pay* (Refer'd to this Day) be further Refer'd till *Thursday* next

The Houfe (according to Order) proceeded to take into Confideration the Report made by the Committee appointed to Consider of that part of y^e Governors Speech Relating to the Capitol and the City of *Williamsburgh*

And upon Confideration of the Said Report

Resolved That the Capitol be Repaired with all Convenyent Speed and that *John Holloway* and *John Clayton* Gentlemen have power to Employ Workmen to make Such Repairs in and about the Said Capitol as by them Shall be thought convenyent and necessary

Ordered That the Trustees for the City of *Williamsburgh* lay before this Houfe on *ffriday* next an Account of the Money in their hands Arising from the Payments made for Lots taken up in the Said City And that they have Notice by the Clerk of this Houfe to prepare and give in their Accounts accordingly

Ordered That the further Confideration of the Report be Refer'd till *ffriday* next

A Petition of *William Smith* of the County of *King William* was presented to the Houfe and Read Praying that Leave may be given to bring in a Bill for making good a Title of Intailed Lands by him Sold in ffee to one *John Graves* Jun^r And for Setling other Lands of greater Value to the Same uses

Ordered

Ordered That the Consideration of the Said Petition be Refer'd to a Committee to Examine the Allegations thereof and Report the Same to the House

And a Committee was appointed for that purpose (to wit) Mr *Bird* Mr *Meriwether* Mr *Stanup* and Mr *Waller*

And then the House Adjourned till To Morrow Morning Ten a Clock

Tuesday November the 17th 1713.

THE Return of the Writt for the Electing a Burgeſs for the County of *Warwick* to Serve in this preſent Affembly in the Room of Mr *William Cary* deceaſed was brought into the Houſe And Refer'd to y^e Consideration of the Committee for Elections and Priviledges to Report their Opinion thereon

Mr *Bird* Reported from the Committee to whom it was Refer'd to Examine the Allegations of the Petition of *William Smith* of the County of *King William* That they had (according to Order) Examined the Allegations of the Said Petition And find the Same to be true

Ordered That Leave be given to bring in a Bill according to the Prayer of the Said Petition And that the Committee to whom it was Refer'd to Examine the Allegations Do prepare and bring in the Bill

An Ingroſſed Bill for Continuing an Act Entituled *an Act for the Regulation and Settlement of fferrys And for Diſpatch of Publick Expreſſes* was Read the Third time

Reſolved That the Bill do paſs

Ordered That the perſons that prepared the Bill with Three Members more Do Carry the Bill to the Council and deſire their Concurrence thereunto

And then the Houſe Adjourned till To Morrow Morning Ten a Clock

Wednesday November the 18th 1713.

MR *Waller* (according to Order) preſented to the Houſe a Bill to Enable *William Smith* Gent to Sell and Diſpoſe of certain Intailed Lands and Tenements lying in the County of *New Kent* On Setling other Lands and Tenements Lying in *King William* County of which he is Seized in fee To the Same Uſes And the Same was Received and Read the firſt time And Ordered to be Read a Second time.

Mr *Holloway* (according to Order) preſented to the Houſe a Bill to Reſtrain the keeping too Great a Number of Horſes and Mares And the Same was Received and Read the firſt time and Ordered to be Read a Second Time

Mr *Holloway* from the Committee of Propoſitions and Grievances Reported that the Said Committee had taken into Consideration a Grievance from the County of *James City* And therein had Agreed upon a Reſolution which they had directed him to Report to the Houſe which he Read in his place and afterwards Delivered in at the Table where being again Read The Houſe took the Same into Immediate Consideration

And upon Consideration of the Report of the Said Committee made upon the Grievance from the County of *James City* That no Allowance is made to Jurymen attending on Surveys of Land The Houſe Agreed to the Report of the Committee *Vizt*

Reſolved That the Same may be properly provided for in a Bill for Setling Secretaries Sheriffs Coroners Attorneys and Clerks fees

The Houſe (according to Order) proceeded to the Consideration of the Report of the Committee To whom it was Refer'd to inſpect and Collect together All the Laws in force relating to Tobacco And Report Propoſalls for the Improvement and Advantage of the Tobacco Trade

And

And upon Consideration of the Report of the Said Committee

Resolved That the Laws now in force Relateing to Tobacco are not Sufficient for the Improvement and Advantage of the Tobacco Trade And that y^e Method now Etablised by Law for Discharging Debts is Subject to many frauds and Abuses not provided against by any Law

Ordered That a Bill be brought in for the better Improvement and Advantage of the Tobacco Trade and for prevention of ffrauds and Abuses in Discharging Tobacco Debts And that the Committee of Propofitions and Grievances do prepare and bring in the Bill

And they have power to Receive and Consider all Propofalls that Shall be made by any person whatsoever

Ordered That Mr Allerton have Leave to go into the Country upon Extraordinary Occasions

And then the Houfe Adjourned till To Morrow Morning Ten a Clock

Thursday November the 19th 1713.

A BILL to Enable William Smith Gent to Sell and Dispose of certain Intailed Lands and Tenements Lying in the County of *New Kent* On Setling other Lands and Tenements Lying in *King William* County of which he is Seized in fee to the Same uses was Read a Second time and Committed

Ordered That the Bill be committed to the Committee that prepared it

A Bill to Refrain the keeping too Great a Number of Horfes and Mares was Read a Second Time And an amendm^t was made by the Houfe to the Bill

Ordered That the Bill with the Amendment be Ingrossed

A Message from the Council by Mr *Robertson*

That the Council have Agreed to the Bill Entituled *an Act to Continue an Act for Supply of certain defects found in an Act prescribing the Method for Appointing Sheriffs* without any Amendments

Also that the Council have Agreed to the Bill Entituled *an Act for Reviving and Continuing an Act Entituled an Act prohibiting Seamen being Harbored or Entertained on Shoar* with Amendments

And also that the Council have Agreed to the Bill Entituled *an Act for Continuing an Act Entituled an Act for the Regulation and Settlement of fferrys And for Dispatch of Publick Expresses* with Amendments to which they desire the Concurrence of this Houfe

Mr *Robinson* also acquainted the Houfe That to the End this Houfe may be Informed the Reafons of those Amendments the Council have Sent down a Copy of her Majestys Instruction to the Governor relating to Re-enacting Laws for the perusall of this Houfe And he presented the Same to the Houfe accordingly

The Houfe proceeded to take into Consideration the Said Amendments

And upon Consideration of the Amendments Propofed by the Council to the Bill Entituled *an Act for Reviving and Continuing an Act Entituled an Act Prohibiting Seamen being harboured or Entertained on Shoar* The Same being Read were Agreed unto by the Houfe and made in the Bill

And upon Consideration of the Amendments propofed by y^e Council to the Bill Entituled *an Act for Continuing an Act Entituled an Act for the Regulation and Settlement of fferrys And for dispatch of Publick Expresses* The Same being Read were agreed unto by y^e Houfe and made in the Bill

The Order of the day being Read for the Houfe to Resolve it Self into a Committee of the whole Houfe to Consider further of the Governors Speech

Resolved That this Houfe will upon *Munday* Morning next Resolve it Self into a Committee of the whole Houfe to Consider further of the Said Speech

Ordered

Ordered That the Consideration of the Continuance of the *Act for Appointing Rangers And for increasîng their pay* (Refer'd to this day) be further Refer'd till *Monday* next.

Ordered That the persons that Carryed the Bill Entituled an *Act for Reviving and Continuing an Act Entituled an Act prohibiting Seamen being harboured or Entertained on Shear*

And also the Bill Entituled an *Act for Continuing an Act Entituled an Act for the Regulation and Settlement of fferrys & for Dispatch of Public Expresses* To the Council for their Concurrence Do now carry the Same to their Honours and acquaint them that this House have Agreed to the Amendments by them propos'd to the Said Bills

And then the House Adjourned till To Morrow Morning Ten a Clock

Friday November the 20th 1713.

O*RDERED* That Mr *Armistead* have Leave to go into the Country upon extraordinary Occasions

Some Publick Claims from the County of *Richmond* were by Leave of the House Received and Refer'd to the Consideration of y^e Committee for Publick Claims to Examine the Matter thereof and Report the Same with their Opinion therein to the House

A Petition of Several of the Parishoners of *St Marys* parish was presented to the House and Read Praying that the Said parish may be Continued one intire Parish and undivided

Ordered That the Said Petition be Rejected

Mr *Waller* Reported from the Committee to whom the Bill to Enable *William Smith* Gent to Sell and Dispose of certain Intailed Lands and Tenements Lying in the County of *New Kent* On Setling other Lands and Tenements lying in *King William* County of which he is Seized in fee to the Same uses was Committed that the Committee had made Several Amendments to the Bill which they had directed him to Report to the House Which he Read in his place and afterwards delivered in at the Table where the Same were Read and Agreed unto by the House And Some other Amendments were made by the House to the Bill

Ordered That the Bill with the Amendments be Ingrossed

Mr *Goodrich* Moving for Leave to go into the Countrey on Extraordinary Occasions Leave is accordingly Given him

An Ingrossed Bill to Refrain the keeping too Great a Number of horses and Mares was Read the third time

Resolved That the Bill do pass

Ordered That the Committee that prepared the Bill do carry the Same to y^e Council and desire their Concurrence thereunto

Ordered That Mr *ffox* and Mr *Bird* have Leave to go into the Country on Extraordinary Occasions

The Order of the day being Read for the House to take into further Consideration the Report made by the Committee appointed to Consider of that part of the Governors Speech Relating to the Capitol and the City of *Williamsburgh*

Ordered That the further Consideration of the Said Report be Refer'd till *Monday* next

And then the House Adjourned till To Morrow Morning Ten a Clock

Saturday November the 21st 1713.

AN Ingrossed Bill To Enable *William Smith* Gent to Sell and Dispose of certain Intailed Lands and Tenements Lying in the County of *New Kent* On Setling other Lands and Tenements Lying in *King William* County of which he is Seized in fee To the Same Uses was Read the Third time

Resolved That the Bill Do pass

Ordered

Ordered That the Persons that prepared the Bill with two Members more Do Carry the Same To the Council and Desire their Concurrence thereunto
And then the House Adjourned Till *Monday Morning Ten a Clock*

Monday November the 23^d 1713.

MR *Holloway* (according to Order) presented to the House a Bill for preventing Frauds in Tobacco Payments and for the better Improveing the Staple of Tobacco And the Same was Received and Read the first time And Ordered to be Read a Second time

The Orders of the Day being Read

Resolved That this House will upon *Wednesday Morning* next Resolve it Self into a Committee of the whole House to Consider further of the Governors Speech

Ordered That the Consideration of the *Act for Appointing Rangers And for Increasing their Pay* (Refer'd to this Day) be further Refer'd Till *Wednesday* next

The House (according to Order) proceeded to take into further Consideration the Report made by the Committee appointed to Consider of that part of the Governors Speech Relating to the Capitol and the City of *Williamjburgh*

And upon further Consideration of the Said Report

Resolved That *John Holloway Holloway* and *John Clayton Gent* be impower'd to Account with and Receive of the Trustees for the City of *Williamjburgh* and all others Concerned All Such Sum or Sums of Money as have been by them Received for Lots taken up in the Said City And all Such Moneys as have been Lodged in the hands of any other person for the use of the Said City And that So much thereof as Shall be Necessary for Defraying the Charge of Refurveying and Marking out a New the Bounds and Streets of the Said City And for Repairing the Capitol be appropriated for those Purposes And the Remainder, if any, be to be by the Said Gentlemen Accounted for to the General Assembly

Ordered That a Bill be brought in upon the Said Resolution And that the Committee of Propositions and Grievances Do prepare and bring in the Bill

Ordered That it be an Instruction to the Said Committee That these Gentlemen be by a Clause in the Said Bill Impower'd (pursuant to a former Resolve of this House) to Employ Workmen to make Such Repaires in and about the Said Capitol as by them shall be thought Convenyent and necessary

And also that it be an Instruction to the Said Committee that it be provided in the Said Bill That if the Charge of Repairing the Capitol be greater than the Moneys appropriated for that purpose will pay and Satisfy that what Such Appropriated Moneys shall fall Short of Such payment And shall be Advanced by the Gentlemen Impower'd to employ Workmen for the making Such Repairs Shall be Reimbursed and paid back to them out of the Moneys arising by the Dutys on Liquors and Slaves

And then the House Adjourned Till To Morrow Morning Ten a Clock

Tuesday November the 24th 1713.

A BILL for preventing Frauds in Tobacco payments and for the better improving the Staple of Tobacco was Read a Second time

The House Agreed to proceed to the Consideration of the Said Bill Paragraph by Paragraph

And upon Consideration of the first Paragraph of the Said Bill, after a Debate, the Question was put, That the Said Paragraph be Agreed to without any Amendments It passed in the Negative And thereupon

Ordered That the Said first Paragraph be Committed for Amendments

And

And a Committee was Appointed for that purpose (to wit) Mr *Waller* Mr *Meriwether* Mr *Boush* Mr *Tully* Mr *Robinson* and Mr *Gouldman* And they have power to call to their Assistance any of the Clerks in the Service of the House

Ordered That the Consideration of the other Paragraphs of the Bill be Refer'd till the Amendments to the first Paragraph be Reported

And then the House Adjourned till To Morrow Morning Ten a Clock

Wednesday November the 25th 1713.

MR *Waller* Reported from the Committee to whom the first Paragraph of the Bill for preventing Frauds in Tobacco Payments And for the better Improveing the Staple of Tobacco was Committed That they had made Several Amendments to the Paragraph which they had Directed him to Report to the House which he Read in his place and afterwards Delivered in at the Table where the Same were Read, and the Question being put, That the Amendments be agreed to

It passed in the Negative

And the Said first Paragraph being Read Amendments were made by the House to the Paragraph

Ordered That the Consideration of the other Paragraphs of the Said Bill be Refer'd till To Morrow

The Orders of the Day being Read

Resolved That this House will upon *ffriday* morning next Resolve it Self into a Committee of the whole House to Consider further of the Governors Speech

Ordered That the Consideration of the Continuance of the *Act for appointing Rangers* And for *Increasing their pay* (Refer'd to this Day) be further Refer'd till *ffriday* next

And then the House Adjourned till To Morrow Morning Ten a Clock

Thursday November the 26th 1713.

THE House (according to Order) proceeded to take into Consideration the Several Clauses and Paragraphs of the Bill for preventing frauds in Tobacco payments And for the better Improveing the Staple of Tobacco which were not Committed And the Same being Severally Read and Considered Several Amendments were made by the House to the Bill

Ordered That the Bill with the Amendments be Ingrossed

And then the House Adjourned till To Morrow Morning Ten a Clock

Friday November the 27th 1713.

MR *Samuel Harwood* moving for Leave to go into the Country on Extraordinary Occasions till *Tuesday* next Leave is accordingly given him

Mr *Soane* moving for Leave to be absent till *Munday* next Leave is accordingly given him

Ordered That Mr *Walk* and Mr *Simons* have Leave to go into the Country on Extraordinary Occasions

An Ingrossed Bill for preventing frauds in Tobacco payments and for the better Improveing the Staple of Tobacco was Read the third time

Resolved That the Bill do pass

Ordered That Mr *Holloway* and Nine Members more do Carry the Bill to the Council and desire their Concurrence thereunto

A Message from the Council by Mr *Robertson* That the Council have Agreed to the Bill Entituled an *Act To Enable William Smith Gentleman to sell and Dispose of certain*
Intailed

Intailed Lands and Tenements Lying in the County of New Kent On Selling other Lands and Tenements lying in King William County of which he is Seized in ffee to the Same Uses with an Amendment to which they Desire the Concurrence of this House

And that the Council have made Sundry Amendments to the Bill Entituled an *Act to Refrain the keeping too Great a Number of Horses and Mares* to which they also Desire the Concurrence of this House

The House proceeded to take into Consideration the Amendment made by y^e Council To the Bill Entituled an *Act to Enable William Smith Gentleman to Sell and Dispose of certain Intailed Lands and Tenements Lying in the County of New Kent on Selling other Lands and Tenements lying in King William County of which he is Seized in ffee to the Same Uses* And the Same being Read was agreed unto by the House.

And the Amendments propos'd by the Council to the Bill Entituled an *Act to Refrain the keeping too Great a Number of Horses and Mares* were Read and Some of the Amendments were agreed unto and others disagreed unto And a New Clause was Added by the House to the Bill

Ordered That the Committee of Propositions and Grievances Do Carry the Bill to the Council and Acquaint them that this House have Agreed to Some of the Amendments by them Propos'd to the Said Bill And to others have Disagreed And have Added a New Clause to the Bill And desire their Concurrence thereunto

The Orders of the Day being Read

Resolved

That this House will upon *Munday* Morning next Resolve it Self into a Committee of the whole House to Consider further of the Governors Speech

Ordered That the Consideration of the Continuance of the *Act for Appointing Rangers and for Increasing their Pay* (Refer'd to this Day) be further Refer'd till *Munday* next And then the House Adjourned till To Morrow Morning Ten a Clock

Saturday November the 28th 1713.

MR Holloway (according to Order) presented to the House a Bill to Impower *John Holloway* and *John Clayton* Gentlemen to Receive of the Trustees for the City of *Williamsburgh* And of all other Persons whatsoever All Moneys by them Received for Lots of Land and otherwise for the benefit of the Said City And to Apply Such Moneys to certain Uses And the Same was Received and Read the first time And Ordered to be Read a Second time

And then the House Adjourned till *Monday* Morning Ten a Clock

Monday November the 30th 1713.

APETITION of *Miles Cary* Clerk of the Committee for Publick Claims was presented to the House and Read Praying that he may have Leave to go into the Country for Recovery of his health Leave was accordingly given him Till *ffriday* next

Mr *Eskridge* Reported from the Committee for Publick Claims That the Said Committee had taken into Consideration the Several claims to them Refer'd And therein had Agreed upon Several Resolutions which they had Enter'd into a Book called the Book of Reports of the Committee for Publick Claims which he presented to the House And the Same was Received

Ordered That the Said Book of Reports be taken into Consideration To Morrow Morning

A Bill to Impower *John Holloway* and *John Clayton* Gent to Recieve of the Trustees for the City of *Williamsburgh* And of all other persons whatsoever All Moneys by them

Received

Received for Lotts of Land and otherwise for the benefit of the Said City and to apply Such Moneys to certain uses was Read a Second time and comitted

The Orders of the Day being Read for the House to Resolve it Self into a Committee of the whole House to Consider further of y^e Governors Speech

And for the Consideration of the Continuance of the *Act for Appointing Rangers And for Increasing their Pay*

Ordered That the Committee of Propositions and Grievances with four Members more wait upon the Governor and know his pleasure in Relation to the Rangers And the Settlement of the Indians mentioned in his Speech

Mr *Holloway* Acquainted the House That the Governor having (according to Order) been waited upon to know his pleasure concerning the Rangers And the Settlement of the Indians. His Honour was pleased to Say he would Send his Answer as Soon as possible.

Resolved That this House will (when they know the Governors answer) Resolve it Self into a Committee of the whole House to Consider further of his Honours Speech

Ordered That the Consideration of the Continuance of the *Act for Appointing Rangers And for Increasing their pay* (Refer'd to this day) be further Refer'd till the Governors Answer be Sent down

And then the House Adjourned till To Morrow Morning Ten a Clock

Tuesday December 1st 1713.

THE House (according to Order) proceeded to take into Consideration the Book of Reports of the Committee for Publick Claims And the Same was Read and with Some Amendments Agreed to by the House And the usual Allowance to the Officers of the Assembly were Added by the House to the Book

Ordered That the Committee for Publick Claims do Carry the Book to the Council and desire their Concurrence thereunto

A Message from the Governor by Mr *Robertson*

Mr *Speaker*

I am Comanded by the Governor to Return to this House a Written Message in Answer to the Message sent yesterday by this House to his Honour And he presented the Same to the House

Mr *Robertson* also Acquainted the House that the Council have Agreed to the Bill Entituled an *Act for Dividing St Marys Parish* with some Amendments To which the Council Desire the Concurrence of this House

The written Message from the Governor was Read as followeth *Viz.*

Mr *Speaker* And Gentlemen of the House of Burgeses

At the Opening of this Session I gave you to understand that there was a Treaty on foot for Securing the Frontiers and expected Ere now to have been able to lay it before you: but the Indian Deputys who came hither to beg for a Peace, And promised to Return with Such others of their chief Men as Should be fully Impowered to Agree to the Articles and Terms upon which it Should be thought reasonable to conclude it, have neither come in according to the time appointed nor Signified to me whether they ever Design it So that I can at this present Acquaint you with no other Matters relateing to those Indians than what I am Informed of by the Letter which I herewith Send you. And Since it thereby appears that these Indians are very Numerous and come down very near our Frontiers I can by no means Advise you to Discontinue the Rangers at this time or before Some other Measures be taken for the Security of the Country, And as Matters have fallen out I do not See that the Settlements I proposed can be conveniently compassed During this Session of Assembly Wherefore if you have any Confidence in my Management and Shall think it Adviseable to put in Such a Clause in the new Rangers Bill as may impower me to Disband at any time all or So many of the Rangers

as I please And to Apply what you Appropriate for their pay to any other Service as I shall Judge to be more for the Security of the Frontiers I shall then endeavour to lay hold of all Occasions for the better protection of your Outward Inhabitants And Do now Assure you that the two Points I will have in View shall be the Lessening the present charge for future Years And the Settling the Indian Trade So as it may be free and Open to all persons.

A: Spotswood

Ordered That the Said Message Do Lye upon the Table

Mr Holloway Reported from the Committee to whom the Bill to Impower *John Holloway* and *John Clayton* Gentlemen to Receive of the Trustees for the City of *Williamsburgh* And of all other persons whatsoever All Moneys by them Received for Lots of Land and Otherwise for the benefit of the Said City And to Apply Such Moneys to certain Uses was Committed That they had made Several Amendments to the Bill And an Amendment to the Title of the Bill which they had Directed him to Report to the House which he Read in his place and afterwards Delivered in at the Table where the Same were Read and Agreed unto by the House and Some other Amendments were made by the House to the Bill

Ordered That the Bill with the Amendments be Ingrossed

The Orders of the day being Read

Resolved That this House will to Morrow Morning proceed to take into Consideration the Governors written Message together with those parts of the Governors Speech not yet Considered And also the Continuance of y^e Act for Appointing Rangers and for Increasing their pay

And then the House Adjourned till To Morrow Morning Ten a Clock

Wednesday December the 2^d 1713.

AN Ingrossed Bill to Impower *John Holloway* and *John Clayton* Gentlemen to Receive of the Trustees for the City of *Williamsburgh* And of all other persons whatsoever All Moneys by them Received for Lots of Land and otherwise for the benefit of the Said City And the Sum of Two hundred and One pounds Nine Shillings and Nine pence of *Robert Carter* Esquire And to apply Such Moneys to certain Uses was Read the third time

Resolved That the Bill do pass

Ordered That the Committee that prepared the Bill Do Carry the Same to the Council And desire their Concurrence thereunto

The House (according to Order) proceeded to take into Consideration the Governors written Message of yesterday Together with those parts of his Honours Speech not yet Considered And also the Continuance of the Act for Appointing Rangers And for Increasing their pay

Resolved *Nomine Contradicente*

That a Bill be brought in for Continuing the Act for appointing Rangers And for Increasing their Pay And that the Governor be Impowered by the Said Bill to Disband at any time all or So many of the Rangers as he Shall think fit And Apply what shall be Appropriated for their Pay to any other Service as his Honour shall Judge to be more for the Security of the frontiers

Ordered That the Committee of Propositions and Grievances Do prepare and bring in the Bill

A written Message from the Governor by *Mr Robertson*

Mr Speaker and Gentlemen of the House of Burgeffes

December the 2^d 1713.

I am Comanded by her Majestys Instructions to Transmit yearly an Account of all Births Christnings and Burialls within this Colony And there is an Act of Assembly passed in the year 1661 which Enjoyns Parishoners to make Such Returns And the Parish

Clerks

Clerks to keep Such Registers But Seeing People look upon that Law to be obfolete that notwithstanding the Precepts I have Sometime ago Sent into the Several Countys of this Government for the Due obfervance thereof I cannot obtain any juft or regular Lifts from thofe Clerks Wherefore I hope you will Agree with me that a Law fhould now be made whereby I may be for the future Enabled to Comply with her Majeftys Orders in that behalf

I take this Occafion to let you know that having Represented the Cafe of thofe perfons who took up large Tracts of Land in expectaçon of Grants upon the terms mentioned in Some former Laws I find by the Letters I have lately Received that there is not any Likelyhood of her Majeftys Receding from the terms of her Inftuctions given me for paffing future Grants of Lands but Since as well the Gentlemen of the Council as others having pretentions to large Tracts of Land Seem Satisfyed that an Explanation of that Inftuction according to the Bill Sent you laft Seffion would be very much for the Eafe of the Subject And is well Suited to the Circumftances of the Country You have it now in your power to pafs her Majeftys Inftuction into a Law (according to her Maj:^{ty} gracious permiffion) with Conditions not only practicable but Advantageous for the People you Represent Otherwife I am obliged Strictly to purfue the purport of that Inftuction which muft be Deemed as Valid as the Charter and a Standing Rule to me

A: Spotfwood

The Houfe proceeded to the Immediate Confideration of the Said Meffage and thereupon.

Refolved That a Bill be brought in upon the Subject Matter of the firft Paragraph of the Said Meffage

Refolved That a Bill be brought in upon the Subject Matter of the other Paragraph of the Said Meffage

Ordered That the Committee of Propositions and Grievances Do prepare and bring in the Bills

A Meffage from the Council by *Mr Robertfon*

That the Council having now under Confideration the Bill fent up from this Houfe for preventing frauds in Tobacco payments and for the better Improveing the Staple of Tobacco and finding therein Some Claufes of the meaning of which they are defirous to be more clearly Satisfied And that there are other parts of the Bill to which they intend to propofe Some Amendments therefore in Order to the well finifhing a Bill of So Great benefit to y^e Country the Council Defire a free Conference with this Houfe upon the Subject Matter of the Said Bill

Refolved That this Houfe Do Agree to the free Conference Defired by the Council

Ordered That *Mr Holloway* with five Members more do go to the Council and Acquaint them that this Houfe have Agreed to the Conference by them defired

Mr Holloway Reported that (according to Order) the Council have been Acquainted that this Houfe have Agreed to the Conference by them Defired

A Meffage from the Council by *Mr Robertfon*. That the Council have appointed Three of their Members to Meet Such a Number of Burgeffes as this Houfe fhall think fit to Manage the Conference upon the Subject Matter of the Bill for preventing frauds in Tobacco payments And for the better Improveing the Staple of Tobacco And that the Managers for the Council will be ready in the Conference Room To Morrow at twelve a Clock

Mr Holloway Mr William Robinson Mr Eskridge Mr Soane Mr Christopher Robinson and *Mr Waller* were Appointed Managers for the Houfe in the Said Conference And Ordered to meet the Council according to their Appointment

And then the Houfe Adjourned till To Morrow Morning Ten a Clock.

Thursday

Thursday December the 3^d 1713

M^R Holloway Reported That the Managers appointed by this House have (according to Order) had a free Conference with the Managers for the Council upon the Subject Matter of the Bill Entituled *an Act for preventing frauds in Tobacco payments and for the better improving the Staple of Tobacco* And that the Council had proposed Several Amendments to the Bill And offered their reasons for those Amendments And had Delivered to him the Amendments in Writing which he presented to the House And the Same were Received And the Title thereof was Read

Ordered That the Said Amendments be taken into Consideration to Morrow Morning

^M^r Holloway (according to Order) presented to the House a Bill for Continuing an *Act for Appointing Rangers And an Act to Continue an Act for Appointing Rangers And for Encreasing their pay and also to Impower the Lieu^t. Governor to Disband the Rangers and to Apply the Pay appropriated for them to any other use which he shall think fit for the better Security of the frontiers* And the Same were Received and Read the first time And Ordered to be Read a Second time

And then the House Adjourned till To Morrow Morning Ten a Clock

Friday December the 4th 1713.

THE House proceeded to take into Consideration the Amendments proposed by the Council To the Bill Entituled *an Act for Dividing S^t Marys Parish* And the Same was Read And Agreed to by the House

Ordered That the persons that prepared the Bill Acquaint the Council that this House have Agreed to the Amendments proposed by their Honours to the Said Bill.

A Bill for Continuing an *Act for Appointing Rangers And an Act to Continue an Act for Appointing Rangers and for Increasing their pay And also to Impower the Lieu^t. Governor to Disband the Rangers And to Apply the Pay appropriated for them to any other use which he shall think fit for the better Security of the frontiers* was Read a Second time

Ordered That the Bill be Ingrossed

The House (according to Order) proceeded to take into Consideration the Amendments proposed by the Council to the Bill Entituled *an Act for preventing frauds in Tobacco payments And for the better Improving the Staple of Tobacco* And the Same were Read and Some of the Said Amendments were Agreed unto And Some disagreed unto and a new Amendment was proposed by the House to the Bill

Resolved That the Council have Leave to Amend the Bill according to the Amendment proposed by this House

Ordered That the Managers for the House in the Conference yesterday upon the Subject Matter of the Said Bill Do acquaint the Council with the proceedings of this House upon the Said Amendments

A Message from the Council by ^M^r Robertson. That the Council do Insist on one of the Amendments by them proposed to the Bill Entituled *an Act to Restrain the keeping too Great a Number of Horses and Mares* and Do Recede from their other Amendments And have Agreed to Some of the Amendments proposed by this House to the Bill And to Some have Disagreed And have proposed new Amendments to the Bill And he presented to the House a Paper relating thereto

Ordered That a Bill be brought in for Supply of certain Defects found in an Act Entituled *an Act for Laying a Duty on Liquors and Slaves* And that ^M^r Eskridge ^M^r Christopher Robinson ^M^r Boush ^M^r Waters and ^M^r Curle Do prepare and bring in the Bill.

An

An Ingrossed Bill for Continuing an Act for Appointing Rangers And an Act to Continue an Act for Appointing Rangers and for Increasing their pay And also to empower the Lieu^t. Governor to Disband the Rangers And to Apply the Pay Appropriated for them to any other use which he Shall think fit for the better Security of the frontiers was Read the third time

Resolved That the Bill do pass

Ordered That the persons that prepared the Bill Do Carry the Same to the Council and Desire their Concurrence thereunto

Mr Holloway (according to Order) presented to the House a Bill for Registering Births Christnings and Burialls And the Same was Received and Read the first time and Ordered to be Read a Second time

Then the House took into Consideration the Councils Message and Paper relating to the Amendments proposed to the Bill Entituled an Act to Restrain the keeping too Great a Number of Horses and Mares And the Same was Read and Agreed unto by the House.

And then the House Adjourned till To Morrow Morning Ten a Clock

Saturday December the 5th 1713.

MR Holloway (according to Order) presented to the House a Bill Declaring what Shall be Accounted a Sufficient Seating and Planting of Lands already Granted or hereafter to be taken up and Patented And y^e. Same was Received and Read the first time And Ordered to be Read a Second time

A Bill for Registering Births Christnings and Burialls was Read a Second Time.

Ordered That the Bill be Ingrossed

And then the House Adjourned till Monday Morning Ten a Clock.

Monday December the 7th 1713.

A BILL Declaring what Shall be Accounted a Sufficient Seating and Planting of Land already Granted or hereafter to be taken up and Patented was Read a Second time and committed

A Message from the Governor by Mr Robertson

Mr Speaker

I am Commanded by the Governor to Deliver to this House his Honours written Message concerning the Money appropriated the Last Session of Assembly for the Relief of North Carolina together with Some Accounts and Vouchers relating thereto And he presented the Same to the House

An Ingrossed Bill for Registering Births Christnings and Burialls was Read the Third time And an Amendment was made by the House to the Bill

Resolved That the Bill Do pass

Ordered That the persons that prepared the Bill Do Carry the Same to the Council and Desire their Concurrence thereunto

Then the written Message from the Governor was Read as followeth vizt.

Mr Speaker and Gentlemen of the House of Burgeesses

I herewith Send you a particular Accompt of what has been expended out of the Sum you appropriated last Session for the Relief of North Carolina and as the proper Vouchers that accompany it may Sufficiently testify that there has been no Fraud So I am perswaded each Article will Shew that there has been neither Extravagance nor negligence in the Disbursements And I can further Assure you that very material Expence has been allways first Resolved of in Council.

I have not only Supplied that Distracted Province with more Clothing than their President asked and furnished whatever Ammunition and Stores of Warr he wrote for but have also pressed that Government by repeated Letters to give me a Meeting at Such time and place as their President should think convenient in Order to concert the most effectual measures for our Assisting them; and even at last to urge them to it, I undertook in the Depth of Winter a Journey to *Southkey* but it was thought fitting to Send to meet me there only two persons who had no other powers than to Receive the Cloathing and to hear what I had to propose And those Deputys plainly Declared that if I Marched any Men to their Assistance I was not to Expect from their Country and Provisions for them, And that tho their Assembly by their Address (which moved you Gentlemen of the House of Burgeesses to Grant the Supply last Session) had Solemly promised to provide the Same, yet would not their Government agree to give the least Security for reimbursing me if I did find out means to furnish Provisions. Thus have I been necessitated to confine my undertakings against the *Tuscarora* Indians to this Side of *Roanoak* River where I might have it in my Power to Subsist the men that were Commanded out. And as I have in this Service chiefly made use of the Rangers who are paid by another fund And of our Tributary Indians who are allways willing to March out for Small Rewards I have not expended half the Sum I was intrusted with: But Seeing that after all my zealous indeavours and the trouble and expences I have my Self for these three years last past been at in behalf of our Neighbours of *North Carolina* they have continually frustrated my Designs and put the worst construction upon them how honestly or Affectionately Soever I Laid them for that Countrys Service I must now Desire to Surrender my trust not doubting but the Seven hundred and odd pounds which remain can be readily applyed for the Security and benefit of Such of her Majestys Subjects as will not prove ungratefull

Ordered That the Said Message together with the Accompts relating thereto be taken into Consideration to Morrow Morning

A Message from the Council by Mr *Robertson* That the Council have agreed to the Bill Entituled an *Act for preventing frauds in Tobacco payments and for the better Improving the Staple of Tobacco* with the Amendments Agreed to by this House And have inserted the Said Amendments in the Bill

Mr *Holloway* Reported from the Committee to whom the Bill Declaring what Shall be Accounted a Sufficient Seating and Planting of Land already Granted or hereafter to be taken up and Patented was Committed that the Said Committee had made Several Amendments to the Bill which they had Directed him to Report to the House which he Read in his Place and afterwards Delivered in at the Table where the Same were Read and Agreed to by the House

Ordered That the Bill with the Amendments be Ingrossed

Upon a Motion of Mr *Christopher Robinson*

Ordered That it be a Note on the Journal that if by Law he ought to be Allowed by the Country for a Negroman of his named *Forty Drowned* in *Lancaster* County he be not hereafter bar'd making his Claim for the Value of the Said Negro This being the Second Session of Assembly Since the Said Negro was Drowned

And then the House Adjourned till To Morrow Morning Ten a Clock.

Tuesday December the 8th 1713.

A MESSAGE by Mr *Robertson*
Mr *Speaker*

I am Commanded by the Governor to Deliver to this House a written Message relating to the Overfeer of the Governours House and his Accompts and he presented the Same to the House

I am also Commanded by the Council to acquaint this House that their Honours have Agreed to the Bill Entituled *an Act for appointing Rangers And an Act to Continue an Act for appointing Rangers and for increasing their pay And also to Impower the Lieu. Governor to Disband the Rangers And to Apply the Pay appropriated for them to any other use which he Shall think fit for the better Security of the Frontiers* without any Amendments

And that the Council have proposed Some Allowances to be Added to y^e Book of Claims to which they Desire the Concurrence of this House

The House proceeded to the Immediate Consideration of the Councils Propofall of Allowances to be Added to the Book of Claims And the Same was Read and Agreed to by the House.

Ordered That it be Refer'd to the Committee of Claims to make the Said Allowances in the Book

Then the House proceeded to the Consideration of the Governors Message of this Day And the Same was Read as followeth *Vizt*

Mr Speaker and Gentlemen of the House of Burgeffes

I have now Ordered the Overseer of the Governors House to Attend you with his Accompts that you may thereby observe the Building has been carryed on notwithstanding no part of the Nine hundred pounds you last appropriated is yet Raised for tho the Allowing no Interest for that Sum might pass for Frugall Management Yet I Judge it would Still be ill husbandry to Suffer unfinished works to Stand long exposed And an Overseers Sallary to Run on while nothing was Doing or at best to hire Workmen upon Credit And therefore where ever any Money has been wanting I have Supplied it

What now remains to be finished may in my opinion be either let out or performed by So few Workmen as the Country needs no longer be at the Expende of an Overseer for I will take care of the Works of those Gentlemen who are intrusted with the Repaires of y^e Capitol or Some others have the Charge of the Accompts

December the 8th 1713.

A: Spotswood

Ordered That the Overseer of the Governors House Do lay before this House his Accompts

An Ingrossed Bill Declareing what shall be Accounted a Sufficient Seating and Planting of Land already Granted or hereafter to be taken up and Patented was Read the Third time And an Amendment was made by the House to the Bill.

Resolved Nemine Contradicente

That the Bill Do pass

Ordered That the persons that prepared the Bill Do Carry the Same to the Council and Desire their Concurrence thereunto

The Accompts of the Overseer of the Governors House were (according to Order) presented to the House and the Same were Received

Ordered That Mr Soane Mr Waller and Mr Meriwether Do inspect and examine the Said Accompts and Report their Opinions thereon

The House (according to Order) proceeded to the Consideration of the Governors Message of Yesterday relating to the Moneys appropriated for the Relief of *North Carolina* And the Same was Read by Mr Speaker.

Resolved That an Address be presented to the Governor upon the Said Message

Ordered That the Committee of Propositions and Grievances Do prepare and bring in the Address

The House upon Consideration of the Accompt of *Andrew Woodley* for Services mentioned in the Said Accompt are of Opinion that he be Allowed for the Said Services Two and Twenty shillings

Mr *Eskridge* Reported from the Committee to whom it was Refer'd to make the Allowances proposed by the Council in the book of Claims that they had made the Same in the Book accordingly

Ordered

Ordered That the Said Committee Do Carry the Book to the Council and Acquaint them that this House have Agreed to the Allowances propos'd by their Honours to be Added to the Book of Claims And that the Same are Entered in the Book

A Committee for Proportioning the Publick Levy *Vizt*

Mr *Soane*..... Mr *Eskridge*

Mr *Conway*.....and

Mr *Boush*..... Mr *Waller*

And then the House Adjourned till To Morrow Morning Ten a Clock.

Wednesday December the 9th 1713.

MR *Holloway* Reported from the Committee appointed to prepare an Address to the Governor upon his Honours Message of the Seventh Instant That they had prepared an Address Accordingly Which they had Directed him to Report to the House Which he Read in his place And afterwards Delivered in at the Table where the Same was Read and Agreed unto by the House and is as followeth *Vizt*

To the Honourable Alex^r Spotswood her Majestys Lieut. Governor of Virginia
The Humble Address of the House of Burgeesses
May it please your Honour

When We Considered your Message Sent to us the Seventh of this Instant December We thought our Selves highly Obliged to Return your Honour the Thanks of this House for the Just Care you have been pleas'd to take in Managing the Supplys given for the Service of *North Carolina* So Agreeably to the Intent for which they were Designed

We are Sensible of the zeal your Honour has Shewed to Relieve a People Represented to be in the most Deplorable State And if after the Earnest Endeavours used by you to perswade them into Measures for their preservation they have been So far wanting to themselves as unreasonably to Slight and Neglect all Opportunitys Offered for their Security. We humbly hope her Majesty will be So Gracious to believe her Subjects of *Virginia* have done their Duty in chearfully Offering their Assistance to their fellow Subjects in Distress

We are entirely well Satisfy'd with your Honours Conduct in the Dispositions you have made and the Methods We apprehend you have in View for the Security of our Frontiers And if you shall Judge the Necessarys required for Guarding the Same may be better provided by Money than the Allowance made by Law to Rangers for that Service We shall be willing your Honour should Apply So much of the Money given for the Assistance of *North Carolina* not yet dispos'd of as you shall think Necessary for that use

December the 9th 1713.

Ordered That the Said Address be fairly transcribed and Signed by Mr *Speaker*.

Ordered That the Address be presented to the Governor by Such of the Members of this House as prepared the Same with as many other Members as shall make the Number Twenty

Mr *Soane* Reported from the Committee to whom it was Refer'd to Inspect and Examine the Accounts of the Overseer of the Governours House that they have accordingly Examined the Said Accompts And find the Same to be Right.

Then the House proceeded to the Consideration of that part of the Governors Message of yesterday which Relates to the finishing the Governor's House And the Same was Read and thereupon

Resolved That the Governor be Desired that he would be pleas'd to take care of Finishing the Work And that the Overseer be Discharged

Ordered That a Clause be brought in to be Added to the Bill to Impower *John Holloway* and *John Clayton* Gentlemen to Receive of the Trustees for the City of *Williamsburgh* And of all other persons whatsoever All Moneys by them Received for Lotts

of

of Land And otherwise for the benefit of the Said City And the Sum of Two hundred and One pounds Nine shillings and Nine pence of *Robert Carter* Esquire And to Apply Such Moneys to certain uses Also to Impower them the Said *John Holloway* and *John Clayton* to have the Charge of the Accompts for Finishing the Governors House

Resolved That what shall be Expended in Finishing that work be paid out of the Moneys Arising by the Dutys on Liquors and Slaves

A Message from the Council by Mr *Robertson*. That the Council have Agreed to the Book of Claims And have Obtained the Governors Assent thereto

And then the House Adjourned till To Morrow Morning Ten a Clock

Thursday December the 10th 1713.

MR *Holloway* Reported that the Persons appointed had this Day Attended the Governor with the humble Address of this House And that his Honour was pleased thereupon to Give this Answer *Viz*:

I thank your House very kindly for this Address that they put So much Confidence in me, it cannot but be very pleasing to me that the Eye witnesses of my Conduct approve my Management

Mr *Holloway* (according to Order) presented to the House a Clause to be Added to the Bill to Impower *John Holloway* and *John Clayton* Gent^s to Receive of the Trustees for the City of *Williamsburch* And of all other persons whatsoever All Moneys by them Received for Lots of Land and otherwise for the benefit of the Said City And the Sum of Two hundred and One pounds Nine shillings and Nine pence of *Robert Carter* Esquire And to Apply Such Moneys to certain uses And the Same was Received and twice Read at y^e Table And agreed unto by the House

Ordered That the persons that prepared the Clause Do Carry the Same to the Council And Acquaint their Honours that this House have Agreed that y^e Said Clause be Added to the Bill by way of Amendment And desire their Honours Concurrence thereunto

Mr *Eskridge* Reported that the persons appointed had (according to Order) Proportioned the Publick Levy And that it Amounted to Twenty pounds of Tobacco & Poll And he presented to the House a Book of the Proportions And the Same was Received Read and Agreed unto by the House

Ordered That the persons that proportioned the Levy Do carry the Said Book to y^e Council And desire their Concurrence thereunto.

Ordered That a Bill be brought in for Raising a Publick Levy And that the Committee for Proportioning the Publick Levy Do prepare and bring in the same

And they were Directed to withdraw immediately to prepare the Bill And they withdrew accordingly

And being Returned

Mr *Eskridge* Reported from the Said Committee that they had prepared the Said Bill which he presented to the House And the Same was Received and Read the first time And Ordered to be Read a Second time

Resolved and Accordingly *Ordered*

That the Several persons to whom Money Allowances are made in y^e Book of Claims be paid their respective Allowances out of the Moneys that shall Arise from the Acts Laying Impositions upon Liquors and Slaves next after the Money Appropriated this Session for Finishing y^e Governours House shall be paid And that the said Payments be made in the Order they Stand in the Said Book of Claims

A Message from the Council by Mr *Robertson*

That the Council have Agreed to the Book of Proportions and have obtained the Governors Assent thereunto

That

That the Council have Agreed to the Clause proposed by this House to be Added to the Bill Entituled *an Act to Impower John Holloway and John Clayton Gentlemen to Receive of the Trustees for the City of Williamſburgh And of all other persons whatsoever All Moneys by them Recieved for Lots of Land and Otherwise for the benefit of the Said City And the Sum of Two hundred and One pounds Nine Shillings and Nine pence of Robert Carter Esquire And to Apply Such Moneys to certain Uses* And have proposed Some Amendments of their own to the Bill And an Amendment to y^e Title of the Bill to which they Desire the Concurrence of this House

And that their Honours have agreed to the Bill Entituled *an Act for Registering Births Christnings and Burialls* with some Amendments To which they also desire the Concurrence of this House

The House proceeded to the Immediate Consideration of the Said Several Amendments And the Same were Read and Agreed unto by the House

Ordered That the persons that prepared the Bills Do acquaint the Council that this House have Agreed to the Amendments by them proposed to the Said Bills.

A Bill for Raifing a Publick Levy was Read a Second time

Ordered That the Bill be Ingrossed

And then the House Adjourned till To Morrow Morning Ten a Clock.

Friday December the 11th 1713.

A BILL for Raifing a Publick Levy was Read the Third Time
Resolved That the Bill do pass

Ordered That the Committee of Claims Do Carry the Bill to the Council

And also the Resolve of Yesterday for Payment of the Money Allowances made in the Book of Claims And Desire their Honours Concurrence thereunto

Ordered That Mr Littlebury Epes Mr Francis Epes Mr Allerton Mr Conway Mr Waller and Mr Ball Do Examine the Several Inrolled Bills with y^e Ingrossed Bills

A Message from the Council by Mr Robertſon That the Council have Agreed to the Resolve of this House relating to the payment of the Money Allowances made in the Book of Claims

And that the Council have proposed Several Amendments to the Bill Entituled *an Act Declaring what shall be Accounted a Sufficient Seating and Planting of Lands already Granted or hereafter to be taken up and Patented* And an Amendment to the Title of the Bill to which they Desire the Concurrence of this House.

The House proceeded to the immediate Consideration of the Said Amendments And the Same were Read and Agreed unto by the House

Ordered That the Committee of Propositions and Grievances Do Acquaint y^e Council that this House have Agreed to the Amendments proposed by their Honours to the Bill Entituled *an Act Declaring what shall be accounted a Sufficient Seating and Planting of Lands already Granted or hereafter to be taken up and Patented*

A Message from the Council by Mr Robertſon. That the Council have Agreed to the Bill Entituled *an Act for Raifing a Publick Levy* without any Amendments

And then the House Adjourned till To Morrow Morning Eight a Clock

Saturday December the 12th 1713.

MR Littlebury Epes Reported that the persons appointed had (according to Order) Examined the Several Inrolled Bills by the Ingrossed Bills and that the said Bills are truly inrolled

Ordered That the Gentlemen that Examined the Inrolled Bills Do carry the Same to the Council for their perusal

A Message from the Council by Mr Robertſon That the Council have perused and Examined the Bills Sent up by this Houſe and are Satisfied that the Same are truly Inrolled

A Message from the Council by Mr Robertſon
Mr Speaker

The Governor Commands the Immediate Attendance of this Houſe in the Council Chamber And that you bring with you Such Bills as are ready for his Affent. Accordingly Mr Speaker with the Houſe went up to Attend the Governor in the Council Chamber where he was pleased to paſs the Several Bills following Vizt

An Act for preventing frauds in tobacco payments and for the better Improveing the Staple of Tobacco

An Act for Continuing an Act for Appointing Rangers And an Act to Continue an Act for Appointing Rangers and for increaſing their Pay And alſo to impower the Lieu: Governor to Diſband y^e Rangers And to apply the pay appropriated for them to any other uſe which he Shall think fit for the better Security of the frontiers

An Act Declaring what ſhall be Accounted a Sufficient Seating Planting Cultivation and Improving of Lands already Granted or hereafter to be taken up and Patented

An Act for Registering Births Chriſtnings and Burialls

An Act to Continue an Act intituled an Act for Supply of certain Defects found in an Act preſcribing the method for appointing Sheriffs

An Act for Continuing an Act Entituled an Act for the Regulation and Settlement of fferrys And for diſpatch of Publick Expreſſes

An Act for Reviving and Continuing an Act Entituled an Act prohibiting Seamen being Harboured or Entertained on Shoar

An Act to Reſtrain the keeping too Great a Number of Horſes and Mares

An Act to Impower John Holloway and John Clayton Gent to Recieve of the Trustees for the City of Williamsburgh And of all other perſons whatſoever All Moneys by them Recieved for Lots of Land and otherwiſe for the benefit of the Said City And the Sum of Two hundred and One pounds Nine Shillings and Nine pence of Robert Carter Eſq: And to Apply Such Moneys to certain uſes. And alſo Impowering them to keep the Accounts of the Governors Houſe and Directing the finiſhing of the Same

An Act for Raiſing a Publick Levy

An Act for Dividing S^t Marys Pariſh

An Act to enable William Smith Gentleman to Sell and Diſpoſe of certain Intailed Lands and Tenements Lying in the County of New Kent On Settling other Lands and Tenements Lying in King William County of which he is Seized in fee to the Same uſes.

JOURNAL

OF THE

HOUSE OF BURGESSES.

AT A

GENERAL ASSEMBLY

Begun at the Capitol the Twenty Second Day of *October* in the Eleventh Year of the Reign of her late Majesty Queen ANN And in the Year of Our Lord 1712 And thence Continued by Several Prorogations to the Sixteenth Day of *November* in the Frst Year of the Reign of Our Sovereign Lord GEORGE by the Grace of God of *Great Brittain ffrance and Ireland* King Defender of the faith &c Annoq₃ Domⁱ 1714.



RICHMOND, VIRGINIA.

MCMXI.

JOURNAL

of the

HOUSE OF BURGESSES.

Tuesday November the 16th 1714.

MR *Speaker* and the Members present to the Number of One and Thirty having taken the Oaths and made and Subscribed the Declaration according to the Laws made for those purposes and having taken the Oath of a Burgesses met in the House

Ordered That the House be called over to Morrow Morning.

And then the House Adjourned Till To Morrow Morning Ten a Clock.

Wednesday November the 17th 1714.

SEVERAL other Members having taken the Oaths and made and Subscribed the Declaration according to the Laws made for those purposes And having taken the Oath of a Burgesses were Admitted to their Places in the House

Ordered That Mr *Waller* Mr *Meriwether* Mr *Armistead* and Mr *Barbar* wait on y^e Governor and Desire him to issue out a new Writt for the Electing a Burgesses to Serve in this Assembly for the County of *King William* in the Room of *Henry Fox* Gentleman Deceased And that they also Desire his Honour to issue out a new Writt for the Electing a Burgesses to Serve in this Assembly for the County of *Elizabeth City* in the Room of *Nicholas Curle* Gentleman deceased

The House (according to Order) was call'd over.

Ordered That the Absence of those Members that did not appear at the calling over the House be Excused till the next time the House shall be called over

A Petition of *Benjamin Goodwin* Clerk was presented to the House and Read Praying to be Continued Chaplain to the House

Ordered That he be Continued Chaplain to the House according to the Prayer of his Petition And that he give his Attendance each Morning in the Conference Room by Ten of the Clock and Read Divine Service

Ordered That *Thomas Francis* *Edward Dyer* and *George Rimington* be Continued Door keepers to the House And that they give their Attendance accordingly

The Orders of the House for the last Session being Read at the Table

Resolved That the House Do approve the Same And that they be Continued Orders for this Session

Ordered That the Said Orders Lye constantly upon the Table for the perusal of the Members

Ordered That the House be called over as often as Shall be thought convenient And that the Members who Shall be wanting in their Duty of Attendance be Lyable to the Censure of the House.

Resolved

Resolved and accordingly *Ordered*

That it be a Standing Rule of this House that Fifteen Members with the Speaker be a Sufficient Number to Adjourn.

A Committee for Elections and Priviledges

Mr *William Robinson* Chairman

Mr *Meriwether*.....Mr *Soane*

Ordered That Mr *Miles Cary* be Continued Clerk of the Said Committee and that he give his Attendance accordingly

A Committee for Publick Claims

Mr *Buckner* Chairman

Mr *Ball*.....Mr *Littlebury Epes*

Mr *John Robinson*.....Mr *Armistead*

Mr *Barbar*.....and

Mr *Christopher Neal*.....Mr *Marable*

Ordered That Mr *Miles Cary* be Continued Clerk of the Said Committee And that he give his Attendance accordingly

A Committee for Propositions and Grievances

Mr *Holloway* Chairman

Mr *William Robinson*.....Mr *Waller*

Mr *Meriwether*.....Mr *Gouldman*

Mr *Bolling*.....and

Mr *Soane*.....Mr *Francis Epes*

Ordered That Mr *John Clayton* be Continued Clerk of the Said Committee And that he give his Attendance accordingly

Ordered That the Committees have power to Adjourn themselves *De Die in Diem* and to Send for Persons Records Journals and other Papers they Shall from time to time have Occasion of

Resolved and accordingly *Ordered*

That all Propositions Grievances and Publick Claims be brought into the House on this Day Seven night at furthest or not to be Received in this Session of Assembly without particular Leave of the House.

Ordered That the Clerk of this House Publish the furthest time Set by the House for Receiving Propositions Grievances and Publick Claims During this Session by Setting up a fair Copy of the Resolve of the House made in that behalf

Ordered That the Committee of Propositions and Grievances Inspect the Journal of this House at the last Session and Report to the House what they find necessary to be taken into Consideration this Session

Ordered That the Committee for Publick Claims Inspect the Report of the Committee of Claims at the last Session and Report to the House what they find necessary to be further Considered this Session

Resolved and accordingly *Ordered*

That all Petitions Propositions and Grievances Directed for the last Session of Assembly And not then Considered be Admitted to the Consideration of this Session

Several Publick Claims from the Countys of

New Kent.....*York*

Essex.....and

Prince George.....*King William*

Were presented to the House and Referred to the Consideration of the Committee for Publick Claims to Examine the Matter thereof and Report the Same with their Opinion therein to the House

Several Propositions from the Countys of *King William* and *Essex* were Read and Referr'd to the Consideration of the Committee for Propositions and Grievances to Report their Opinion thereon

A Petition of the Freeholders Housekeepers and other Inhabitants of the City of *Williamsburgh* was presented to the House, and Read Praying that the Injury Done the Streets of the Said City and the Pasture Grounds in and about the Same by Hoggs Rooting and breaking the Turf may for the future be prevented

Ordered That the Said Petition be Referr'd to the Consideration of the Committee for Propositions and Grievances to Report their Opinion thereon

A Petition of *James Adams* Referr'd by the Council to the Consideration of this House was Read Praying an Allowance for being Interpreter to the *Pamunkey* and *Chicahomony* Indians

Ordered That the Consideration of the Said Petition be Referr'd to the Committee for Publick Claims to Report their Opinion thereon

A Message from the Governor by Mr *Robertson*

Mr *Speaker*

The Governor Commands the Immediate Attendance of this House in the Council Chamber

Accordingly Mr *Speaker* with the House went up to Attend the Governor

And being Returned

Mr *Speaker* Reported as followeth *Vizi*

Gentlemen In Obedience to the Governors Commands We have been to Attend him in the Council Chamber where he was pleased to make a Speech which was So long that I dare not pretend to acquaint you with the Contents of it by the Strength of my Memory; but for as much as I have obtained a Coppy of it I pray your favour that I may be Admitted to Read the Copy, which he Read, and is as followeth *Vizi*

Gentlemen of the Council and House of Burgeesses

We now meet under the Authority of another Sovereign, than when We were last Assembled

The Almighty has been pleased to call to his mercy our late most Gracious and most Religious Queen, but has Vouchsafed immediately to Repair that Loss to her Subjects, by fulfilling their Desires in the next Successor and by blessing our Mother Country with Peace and Harmony all on a Sudden, making fears and jealousies to Vanish there, and jars to cease at the very name of *King George*

A Prince who can So happily influence the minds of his People even before his Personal Presence among them Seems to be peculiarly cut out by providence for Ruling Remote Colonys: And thereupon We in these parts are particularly Obligated with thankful hearts to congratulate his Majestys Rightful and Lawful Accession to the Crown

It is a most Sensible Pleasure to me that the Representation I have now to make of the State of the Frontiers Differs very much from that I Laid before you last year. No Murther, No Alarms have happened; but on the contrary, Satisfaction has been made for those formerly committed, by Delivering up Some of the Guilty to Justice.

And it is no less pleasing to me, than I conceive it may be to you, that I have been able to Reduce the charge of Guarding the Frontiers to less than a Third of that of the preceding years; besides, I take the Security, I have provided for the Country to be of Such a nature, that if half the pains be used to improve it, which I have taken to Settle it, the Strength of your Barrier may with time be encreasing and the Expence Decreasing

For as, on the one hand, I have begun a Settlement of Protestant Strangers, Several Miles without our Inhabitants, more of their Country folkes might be induced to come over and Joine them if they hear these meet with a favourable Reception (and Sure as they are of the Same Nation with our present Sovereign, they are as fit to be Recommended to your benovolence as the *French* Refugees of the *Manican* Town formerly were)

So on the other hand, our Tributary Indians, whom I am Settling out with a few white men to accompany them in their Ranges, and to observe their Actions or Correspondence

pondence with forreign Indians, will need no longer Such a Guard, when by the blessing of God they become Christians, according to a Treaty I have this year made with them, for Educating all their Children in the faith of our Church

This may perhaps to Some appear to be too remote a Consideration but however, Since I judge the undertaking to be practicable, as well as Religious, I cannot but have it very much at heart, and it is a Sufficient encouragement to me, to think Posterity may Reap the benefit thereof

But for a more immediate Advantage to the Colony I Recommend to your Consultations Some Regulation of the Indian Trade: for it is not only almost quite lost, but even proves Pernitious to this Dominion, upon the footing it now is. I have Discovered enough to convince me that the Mischiefs We have of late years Suffered from the Indians are chiefly owing to the Clandestine Trade carryed on by some ill men, And experience Shows that it is not in the Governments power to prevent it, unless other measures be Enacted

I am but too Sensible of the Injury Done by last Summers Drought to the Crops of Corn and Tobacco, and think it Worthy your Consideration how to Relieve the People, under the Streits which many of them must this year be, to Discharge their Levys.

Since your last Sesssion, I have Received a large quantity of Ammunition, with a Number of very good Arms and other necessarys of Warr, given by her late Majesty for the Service of this Country: And your enabling me to take better care of those than formerly has been of Such like Supplys, will not only be the best Return you can make for So generous a Gift, and a full Recompence for the pains I have taken in Solliciting and procuring it, but may also Render it an Estate of Inheritance to your Posterity

In fine Gentlemen

It cannot but be an Advantage to *Virginia*, that the good agreement of its Assembly Should be among the first Impreissions Received by our new Sovereign, and if there were any Danger of your being otherwise Disposed (of which I have not at present the least Apprehension) I should not doubt but this Single Consideration would be a Sufficient Motive to Harmony.

November the 17th 1714.

Resolved That this House will take the Said Speech into Consideration to Morrow Morning

And then the House Adjourned till to Morrow Morning Eleven a Clock

Thursday November the 18th 1714.

MR *Holloway* from the Committee of Propositions and Grievances Reported That the Committee had taken into Consideration Several of the Matters to them Referred and had agreed in a Report thereupon Which he Read in his place and afterwards Delivered in at the Table where the Same being again Read: The House proceeded to the immediate Consideration of the Said Report

And upon Consideration of the Report of the Said Committee made upon the Petition of the Freeholders and Inhabitants of the City of *Williamsburch* Setting forth the Damage done to the Streets of the Said City and other inconveniences to the Petitioners by the Number of Hoggs kept in and about the Said City and Praying to be Relieved therein

The House agreed to the Report of the Committee *Vizt.* That the Petitioners have Leave to prepare a Bill to be brought in to prevent the Inconveniences complained of in the Said Petition

And upon Consideration of the Report of the Said Committee made upon the Proposition from the County of *King William* That a Ferry may be Setled upon *Pamonkey* River from *Sweet Hall* to *Richard Richardsons*

The

The House agreed to the Report of the Committee *Vizt.* That the Said Proposition be Rejected

And upon Consideration of the Report of the Said Committee made upon the Proposition from the Said County of *King William* That Liberty may be given to Stem and Pack all good Tobacco as was allowed before the late Act for the Improving The Staple of Tobacco And that the Same may be Laid promiscuously in hogheads as before the making the Said Act.

The House agreed to the Report of the Committee *Vizt.* That the Said Proposition be Rejected

And upon Consideration of the Report of the Said Committee made upon the Proposition from the said County of *King William* That persons who have formerly Contracted Debts to be paid in Tobacco at certain times yet to come may be permitted to pay Such Tobacco as was lawful at the time of making Such contracts or may have Allowances made to them for paying Such Tobacco as Shall now be Judged Lawful and that by reason of small Crops made this year Such Debtors may have further time Allowed them for payment of their Debts

The House agreed to the Report of the Committee *Vizt.* That the Said Proposition be Referred to the further Consideration of this Committee

And upon Consideration of the Report of the Said Committee made upon the Proposition from the County of *Essex* That no Agent may be Merchant or Factor And that longer time may be Allowed for Exporting old Tobacco than is Limited by the Act for Improvement of the Staple of Tobacco and to prevent frauds in Tobacco payments

The House agreed to the Report of the Committee *Vizt.* That the Said Proposition be Rejected

Several Claims from the Countys of

Lancaster.....*Middlesex*

Gloucester.....*Surry*

Were presented to the House and Referred to the Consideration of the Committee for Publick Claims to Examine the Matter thereof and Report the Same with their Opinion therein to the House

The House being Informed That *Andrew Elmes* Doorkeeper last Session Prayed to be Continued this Session

Ordered That he be Continued Doorkeeper (according to his Prayer) And that he give his Attendance accordingly

A Petition of Several of the Inhabitants of the County of *Surry* was presented to y^e House and Read Praying that (since through the unseasonableness of the year they have not made any Tobacco) they may be Relieved touching the payment of their Public County and Parish Levys.

Ordered That the Said Petition Lye upon the Table till the Governors Speech be Considered

The House (according to Order) proceeded to the Consideration of the Governor's Speech and the Same was Read.

Resolved Nomine Contradicente

That an Humble Address be presented to his Majesty to Congratulate him Upon his happy Accession to the Throne.

Ordered That a Message be Sent to the Council to acquaint them that this House have unanimously Resolved that an humble Address be presented to his Majesty to Congratulate his happy Accession to the Throne And that the House Desires their Honor to joyn with them in the Address.

Ordered That the Committee of Propositions and Grievances and the Committee of Claims Do Carry the Message to the Council

Resolved Nomine Contradicente

That an Humble Address be presented to the Governor upon his Speech

Ordered

Ordered That the Committee of Propositions and Grievances Do prepare and bring in the Addrefs

Ordered That the further Consideration of the Governors Speech be Referred till *Monday* next.

Mr Holloway Reported that the Council had been Acquainted with the Resolve of this House touching the Addrefs to be presented to his Majesty And that their Honours were Desired to Joyn therein

A Message from the Council by *Mr Robertfon*

That the Council are Desirous of Joyning with this House in an Humble Addrefs to his Majesty to Congratulate him upon his happy Accession to the Throne And that the Council have appointed three of their Members to be in the Conference Room at Eleven a Clock to Morrow Morning to Joyn with Such Members of [this House as Shall be appointed to prepare and Draw up the Same

And then he withdrew

Ordered That *Mr Holloway Mr William Robinson Mr John Robinson Mr Soane Mr Meriwether* and *Mr Waller* meet the Members appointed by the Council to Morrow at Eleven a Clock in the Conference Room and with them prepare and Draw up the Said Addrefs.

Some Grievances from the County of *Middlesex* Referred by the Council to the Consideration of this House were Read and Referred to the Consideration of y^e Committee for Propositions and Grievances to Report their Opinion thereon

A Grievance from the County of *Prince George* was Read and Referred to the Consideration of the Committee for Propositions and Grievances to Report their Opinion thereon.

A Petition of Several of the Inhabitants of the County of *Gloucester* Referr'd by the Council to the Consideration of this House was Read Praying that the Law made the last Session of Assembly for the Remedying the ill State of the Tobacco Trade may be Altered in that part of it that Relates to the Tying up and Laying Streight of Stem'd tobacco in the hogthead

A Petition of *William Brown* Referr'd by the Council to the Consideration of this House was Read Praying that Clause in the Tobacco Law prohibiting the Exportation of cut tobacco be moderated

Ordered That the Said Petition be Rejected

And then the House Adjourned till to Morrow Morning Eleven a Clock.

Friday November the 19th 1714.

SEVERAL Claims from the Countys of

Warwick.....*Princess Ann*

Norfolk.....*King and Queen*

Were presented to the House and Referred to the Consideration of the Committee for Publick Claims to Examine the Matter thereof and Report the Same with their Opinion therein to the House

Several Propositions and Grievances from the County of *King and Queen* and *Princess Ann* were Read.

Several Propositions and Grievances from the Countys of *James City Charles City* and *King and Queen* Referred by the Council to the Consideration of this House were Read.

Ordered That the Said Propositions and Grievances be Referred to the Consideration of the Committee for Propositions and Grievances to Report their Opinion thereon

Mr Stanup moving for Leave to be absent till *Monday* next Leave is accordingly given him

A Motion being made and the Question put. That a Bill be brought in to prevent the Setting on Fire and Destroying the Publick Store Houses of the Agents by wicked malicious and evil Disposed Persons

It was Resolved in the Affirmative

Ordered That the Committee of Propositions and Grievances Do prepare and bring in the Bill

And then the House Adjourned till to Morrow Morning Eleven a Clock.

Saturday November the 20th 1714.

A PETITION of *John Cembrough* Petitioner was presented to the House and Read Praying his usual Allowance

A Petition of *Richard Buckner* was presented to the House and Read Praying to be Allowed for Four Copys of the Journals of the last Session of Assembly and Four Copys of y^e Laws made that Session Delivered to the Governor And a Copy of the Said Laws given in to the Secretarys Office

Ordered That the Said Petitions be Referred to the Consideration of the Committee for Publick Claims to Examine the Matter thereof And Report the Same with their Opinion therein to the House.

Several Claims from the Countys of *Stafford* and *Henrico* were presented to the House and Referred to the Consideration of the Committee for Publick Claims to Examine the Matter thereof and Report the Same with their Opinion therein to the House

A Grievance from the County of *Henrico* was Read and Referred to the Consideration of the Committee for Propositions and Grievances to Report their Opinion thereon

Mr *Holloway* (according to Leave) presented to the House a Bill to prevent Hoggs rooting within the City of *Williamsburch* and certain Adjacent places, and the Same was Received and Read the first time and Ordered to be Read a Second time

Mr *Holloway* Reported that the Persons appointed by this House with the Members appointed by the Council to prepare and Draw up an humble Address to his Majesty have prepared an Address accordingly, which they had Directed him to Report to the House, which he Read in his Place, and afterwards Delivered in at the Table, where the Same was Read and agreed unto by the House

Ordered That Such of the Members of this House as were appointed for Drawing up the Said Address Do Carry the Same to the Council and Desire their Concurrence thereunto

And then the House adjourned till Monday Morning Eleven a Clock.

Monday November the 22th 1714.

MR *Holloway* from the Committee of Propositions and Grievances Reported That the Committee had taken into Consideration Several of the Matters to them Referred and had agreed in a Report thereupon which he Read in his Place and afterwards Delivered in at the Table where the Same being again Read, the House proceeded to the immediate Consideration of the Said Report

And upon Consideration of the Report of the Said Committee made upon the Proposition from the County of *Middlesex* Praying that it may be Enacted that no Assembly may Continue longer than Three years

After a Debate the Question was put That the Report of the Committee be agreed to

It was Resolved in the Affirmative and thereupon

Ordered That the Said Proposition be Rejected

And upon Consideration of the Report of the Said Committee made upon the Proposition from the Said County of *Middlesex* That an Act may be made to prohibit any Agent for Tobacco to Trade or Purchase Tobacco for himself or any other

The

The House agreed to the Report of the Committee *Viz*

That the Said Proposition be Rejected

And upon Consideration of the Report of the Said Committee made upon the Proposition from the County of *King* and *Queen* Setting forth That by an Act of Parliament made in the Sixth year of the Reign of their late Majestys King *William* and Queen *Mary* No Parlyament shall continue for longer than Three years and Praying the Same Liberty may be Allowed here.

The House agreed to the Report of the Committee *Viz*

That the Said Proposition be Rejected

And upon Consideration of the Report of the Said Committee made upon the Proposition from the Said County That all Agents be Strictly forbid Purchasing or Tradeing Tobacco for themselves or any other

The House agreed to the Report of the Committee *Viz*.

That the Said Proposition be Rejected

And upon Consideration of the Report of the Said Committee made upon the Proposition from the Said County That the making Hedges cros Rivers may be Prohibited under a fine And that persons may be appointed in the Nature of Commis-fioners of Sewers in *England* to take care of the clearing Rivers

The House agreed to the Report of the Committee *Viz*.

That by Laws now in force Sufficient Remedy is provided in Such Cafes

And upon Consideration of the Report of the Said Committee made upon the Proposition from the Said County That all Owners of Mill-dams now upon Great Roads or which Shall hereafter be Set upon Great Roads or over which Great Roads shall Lead be obliged to make Such Dams Ten foot wide in the clear at the Top

The House agreed to the Report of the Committee *Viz*

That a Bill be brought in upon the Subject Matter of the Said Proposition

Ordered That the Committee of Propositions and Grievances Do prepare and bring in the Bill

And upon Consideration of the Report of the Said Committee made upon the Proposition from the Said County That Goods Seized by Execution may be Sold at an Outcry

The House agreed to the Report of the Committee *Viz*

That the Said Proposition be Rejected

And on Consideration of that part of the Report made in these Words *Viz* And the Committee taking into Consideration the Hardships and Injury often times Done to Creditors by the high Valuation of Goods tendered by Debtors in Discharge of their Bodys when taken in Execution Are of Opinion that a Bill be brought in to Repeal that part of the Act of Assembly which gives Liberty to Debtors taken in Execution to tender Three times the Value of the Debt for which Judgement is obtained in Discharge of their Bodys.

The House agreed with the Committee in that Opinion, And thereupon

Ordered That a Bill be brought in accordingly And that the Committee of Propositions and Grievances Do prepare and bring in the Bill

On Consideration of the Proposition from the Said County That the fees of one or two Attorneys may be Allowed in Bills of Cofts

The House agreed to the Report of the Committee *Viz*.

That the Said Proposition be Rejected

And upon Consideration of the Report of the Said Committee made upon the Proposition from the Said County That Lands as well as Negro Slaves may be made Lyable to pay the Debts of Dead persons after all the personal Estate shall be Admin-istred

The House agreed to the Report of the Committee *Viz*.

That the Said Proposition be Rejected

And

And upon Consideration of the Report of the Said Committee made upon the Proposition from the Said County That Posts be Set up in the yard of each County Court for Rectifying the Variation of the Compass

The House agreed to the Report of the Committee *Vizt.*

That the Said Proposition be Rejected

And upon Consideration of the Report of the Said Committee made upon the Proposition from the Said County That the Surveyors may be Enabled to Recover their Fees by Distress

The House agreed to the Report of the Committee *Vizt.*

That the Said Proposition be Rejected

And upon Consideration of the Report of the Said Committee made upon the Proposition from the Said County That a Reward be given for killing Crows or a penalty on them who Do not kill Numbers of them in Proportion to their Tytheables

The House agreed to the Report of the Committee *Vizt.*

That the Said Proposition be Rejected

And upon Consideration of the Report of the Said Committee made upon the Proposition from the Said County That the Forty third Act in the Book of printed Laws which Stands Repealed may be Revived

The House agreed to the Report of the Committee *Vizt.*

That the Said Proposition be Rejected

And upon Consideration of the Report of the Said Committee made upon the Grievance of the Inhabitants of the Several Parishes in the County of *Prince George* Representing the Inconvenience of the present Division of the Said Parishes and Praying they may be Divided by the Rivers *James* and *Appamatox*

The House agreed to the Report of the Committee *Vizt.*

That the Consideration of the Said Grievance be further Referred

And upon Consideration of the Report of the Said Committee made upon the Proposition of the Inhabitants of the County of *Charles City* That that part of the County of *James City* which Lyes on the West Side of the River *Chicohominy* may be made part of the Said County of *Charles City* And the Committee also Considering that part of the Proposition from the County of *James City* which Proposes That that part of the County of *James City* which Lyes on the West Side of the Said River *Chicohominy* may be Added to the Said County of *Charles City*

After a Debate the Question was put

That the Report of the Committee be agreed to

Resolved in the Affirmative and thereupon

Ordered That a Bill be brought in to Divide the Said Countys of *James City* and *Charles City* by the Said River *Chicohominy*.

Ordered That the Committee of Propositions and Grievances Do prepare and bring in the Bill

And upon Consideration of the Report of the Said Committee made upon the other part of the Proposition from the Said County of *James City* Relating to the bounding the Said County

The House agreed to the Report of the Committee *Vizt.*

That the Same be Rejected

And upon Consideration of the Report of the Said Committee made upon y^e Proposition from the Said County of *James City* That the Law which appoints y^e Proceffioning of Lands may be Explained, And that Jurors Summoned on Such Proceffioning may be Allowed for their Attendance

The House agreed to the Report of the Committee *Vizt.*

That the Said Proposition be Rejected

And upon Consideration of the Report of the Said Committee made upon the Proposition of Several Freeholders and Inhabitants of the County of *Princess Ann* That they

they may pay their Publick Dues now payable in Tobacco in Several Commodities of the Product of this Colony to be enumerated and valued

The House agreed to the Report of the Committee *Vizt.*

That the Said Proposition be Rejected

And upon Consideration of the Report of the Said Committee made upon the Grievance Represented by the Said Inhabitants of the Said County of *Princes Ann* That the Day for holding the Court of the Said County is appointed to be on the first *Monday* in every Month And praying the Same may be Altered and appointed to be on the first *Wednesday* in every Month

The House agreed to the Report of the Committee *Vizt.*

That the Persons Representing the Said Grievance have Leave to prepare and bring in a Bill for the Alteration of the Day appointed for holding the Said Court

A Bill to prevent Hoggs Rooting within the City of *Williamburgh* and certain Adjacent Places was Read a Second time

Ordered That the Bill be Ingrossed

The Order of the Day being Read for the House to take into further Consideration the Governors Speech

Resolved That this House will proceed to the further Consideration of the Said Speech to Morrow Morning

Mr Wright Hath Leave to go into the Country on his Extraordinary Occasions

A Petition of *Mr Secretary Cocks* (Refer'd by the Council to the Consideration of this House) was Read, Praying to be Allowed for Two Writts issued out of his Office for the Election of Burgeffes to Serve in this Assembly

A Petition of *Chicheley Corbin Thacker* Clerk of the Secretarys Office (Referred by the Council to the Consideration of this House) was Read Praying an Allowance for Publick Services

Ordered That the Consideration of the Said Petitions be Referred to the Committee for Publick Claims to Report their Opinion thereon

And then the House Adjourned till to Morrow Morning Eleven a Clock

Tuesday November the 23^d 1714

M*R Holloway* from the Committee of Propositions and Grievances Reported That the Committee had taken into Consideration a Matter to them Referred and had agreed in a Report to be made to the House thereupon which he Read in his Place and afterwards Delivered in at the Table, where the Same being again Read. The House proceeded to the immediate Consideration of the Said Report

And upon Consideration of the Report of the Said Committee made upon the Grievance from the County of *Henrico* Setting forth That the Reward now given by Law for killing Wolves with Guns and Catching them in Traps is unequal and too great and Praying that Such Rewards may be equal and less

The House agreed to the Report of the Committee *Vizt.*

That a Bill be brought in to Repeal that part of the Law which gives the Reward for killing of Wolves and Catching them in Traps and Pitts And that the Reward for killing Wolves or Catching them in Traps or Pitts be but One hundred pounds of tobacco for each Wolf So killed or Caught

Ordered That the Committee of Propositions and Grievances Do prepare and bring in the Bill

Mr Holloway presented to the House (according to Order) a Bill to prevent the Malitious Burning or Destroying the Publick Storehouses of tobacco Agents And the Same was Received and Read the first time and *Ordered* to be Read a Second time

Ordered

Ordered That Mr *Christopher Robinjon* and Mr *Fiizhugh* be Added to the Committee of Propositions and Grievances

A Petition of *Thomas Roberis* was presented to the House and Read Praying an Allowance for his Attendance at the last April General Court

Ordered That the Consideration of the Said Petition be Referred to the Committee for Publick Claims to Examine the Matter thereof and Report the Same with their Opinion therein to the House.

A Message from the Council by Mr *Robertson*

That the Council have Agreed to the Address To His Majesty as passed this House and that their Honors have Signed the Same.

Mr *Speaker* and the Members present also Signed the Address.

Ordered That the Absent Members attend in their places to Morrow Morning in Order to Sign the Said Address.

A Proposition of *George Walker* was presented to the House and Read Setting forth that he hath a Commission for Searcher in the Lower District of *James River* and hath no Sallary Annexed to that Office: Therefore Proposes that an Allowance be made him of Twenty four pounds per Ann. out of the Dutys on Liquors to Enable him to Defray the charge of a Boat and Four Hands.

After a Debate the Question was put: That the Proposition be Committed.

It passed in the Negative and thereupon

Ordered That the Proposition be Rejected

Upon a Motion made

Ordered That the Committee of Propositions and Grievances Do inspect the Act of Assembly Laying a Duty on Liquors and Slaves and Report to the House wherein they find the Said Act Defective and what may be necessary to make the Same more Effectual

An Ingrossed Bill to prevent Hoggs Rooting within the City of *Williamsburgh* and certain Adjacent Places was Read the Third Time

Resolved That the Bill do pass

The House (according to Order) proceeded to the further Consideration of y^e Governors Speech and the Same was Read

Resolved That the *Germans* Imported the last Spring and now Seated above the Falls of *Rappahanock River* be Exempted for Seven years from the payment of Publick County and Parish Levys

Ordered That a Bill be brought in on the Said Resolution And that the Committee of Propositions and Grievances Do prepare and bring in the Bill

Resolved That a Bill be brought in for the better Regulation of the Indian Trade

Ordered That the Committee of Propositions and Grievances Do prepare and bring in the Bill

Resolved That it is the Opinion of this House, That the last Crops of Corn and Tobacco were So generally Injured by the Drought of the Summer that very many persons in this Government will be under great Streights to Discharge their Levys and that few will be able to pay their Tobacco Debts in Specie.

Resolved and accordingly *Ordered*.

That it be Referr'd to the Committee of Propositions and Grievances to prepare and bring in a Bill for Relief of the People under Such Streights and hardships.

Resolved That that part of the Governors Speech Relating to the Arms Ammunition and other necessarys of War given by her late Majesty for the Service of this Country be Referred to the Committee appointed to prepare the Bill for the better Regulation of the Indian Trade.

And then the House Adjourned till to Morrow Morning Eleven a Clock

To the Kings Most Excell^t Majesty.

The humble Address of the Council and Burgeesses of the General Assembly of Virginia May it Please your Majesty

Since

Since it hath pleased the Almighty to take to his Mercy our late most Gracious and Renowned Queen, We your Majestys most Loyal and Dutiful Subjects the Council and Burgeffes of this your Ancient Colony and Dominion now met in General Assembly being truly Sensible, how happily that loss is Repaired by your Majestys Rightful Lawful and Peaceable Accession to the Imperial Throne of *Great Brittain* and its Dependancies Do with Hearts full of Joy embrace this first Opportunity of Addressing your Sacred Majesty with our Congratulations on this Glorious Occasion. Although by reason of our Distance We come among the last to pay this our Duty, We are Resolved (as We have ever hitherto been Exemplary in our Loyalty) to be behind none in our zeal to your Majestys Person and Government. And the Succession of the Crown in your Royal Line, Which We pray almighty God to Bless and Continue to all future Generations.

Wednesday November the 24th 1714

A PETITION of the Freeholders Housekeepers and Inhabitants of *York Town* was presented to the House and Read Setting forth the Injurys and Damage Done by Hoggs kept in and about the Said Town by Rooting up the Pastures and Streets. And praying that a Bill may be brought in for preventing the like Inconveniencies for the future

Ordered That the Petitioners have Leave to prepare and bring in a Bill according to the Prayer of the Said Petition

A Claim of *Edward Ross* together with Several Papers relating thereto was presented to the House and Referred to the Consideration of the Committee for Publick Claims to Examine the Matter thereof And Report the Same with their Opinion therein to the House

A Claim of *John Broadnax* with Several Papers relating thereto was presented to the House and Referred to the Consideration of the Committee for Publick Claims to Examine the Matter thereof and Report the Same with their Opinion therein to the House.

A Claim of *Samuel Wright* was presented to the House and Referred to the Consideration of the Committee for Publick Claims to Examine the Matter thereof and Report the Same with their Opinion therein to the House.

A Petition of *Miles Cary* was presented to the House and Read Praying an Allowance for Drawing out (by the Governors Order) the State of the Tobacco Accounts of this Country from the 22^d day of *June* 1706 to the 10th day of *November* last.

Ordered That the Consideration of the Said Petition be Referred to the Committee for Publick Claims to Examine the Matter thereof and Report the Same with their Opinion thereon to the House

Ordered That a Message be Sent to the Council to acquaint them that this House Do Desire a Conference with the Council upon a Matter relating to the Address of the Council and Burgeffes to his Majesty

Ordered That Such Members of this House as were appointed for preparing the Said Address Do Carry the Message to the Council

A Message from the Council by *Mr Robertson*

That the Council have Agreed to the Conference Desired by this House in Relation to the Address to his Majesty And that they have appointed Three of their Members to meet Such Members as Shall be appointed Managers for this House (in the Conference Room) immediately

Ordered That the Members that carryed the Message to the Council be Managers for the House and immediately Repair to the Conference Room to meet the Managers for the Council

Mr Holloway Reported That the Managers for the House in the Conference upon the Matter relating to the Address to the King had been with the Managers for the Council
and

and acquainted them with the Sence of the House as to the Method proposed by this House for Delivering that Address to the Governor in Order to its being transmitted to his Majesty, which was that Some Members of the Council might be appointed with Some Members of this House to attend the Governor to know his Pleasure when he would be pleased to be waited upon by the Council and House of Burgeses to present that Address, And further that the House conceived it to be their Right (as that Address first proceeded from their House) That the Speaker of that House should present the Same to the Governor; which Matter the Conferees for the Council Desired they might Report to the Council; and did immediately Return and Reported That the Council had Searched their Presidents, and did agree as to the Method Proposed to know the Governors Pleasure when he would be Attended And also that the Council did agree that if the Governour appointed to be Attended in the Council Chamber that when the Speaker and House of Burgeses came up the Council would Stand up in their places, and that the Speaker of the House of Burgeses should Read and present the Address to the Governor but if the Governor should appoint to be Attended at the Palace, that then in regard of the Precedency of the Council they thought it their right that the President of the Council Should present the Address to the Governor. To which the Conferees of this House Answered that they thought it would be the Sence of their House to approve that method

To which Report the House Agreed

A Message from the Council by Mr *Robertson*

That upon Report of the Conference made to the Council by their Managers, they have appointed Some of their Members (to Joyn with Such Members of this House as Shall be appointed) to wait on the Governor to know his Pleasure when he will please to be Attended with the Address to his Majesty

Ordered That the Members that were appointed Managers for this House in the Conference together with the Members appointed by the Council to know the Governors pleasure when he will be Attended with the Address to his Majesty Do know his pleasure accordingly

Mr *Holloway* acquainted the House that the persons appointed by the Council and Burgeses have waited on the Governor to know his pleasure when he will be Attended with the Address to his Majesty And that his Honour was pleased to appoint to Morrow Morning Ten a Clock in the Council Chamber

Mr *Holloway* Reported from the Committee appointed to draw up an humble Address to be presented to the Governor that they had drawn up an Address accordingly which they had Directed him to report to the House, which he Read in his place and afterwards Delivered in at the Table, where the Same being Read

Resolved Nomine Contradicente

That this House do Agree with the Committee in the Said Address

Ordered That the Address be fairly transcribed and Signed by Mr *Speaker*

Resolved That the Said Address be presented to the Governor by the whole House

Ordered That Mr *Holloway* with Seven other Members do know the Governors pleasure when he will be Attended by this House

A Bill to prevent the Malitious Burning or Destroying the Publick Storehouses of Tobacco Agents was Read a Second time

After a Debate the Question was put, That the Bill be Committed

It was Resolved in the Affirmative

Ordered That the Bill be Committed to the Committee that prepared it

And then the House Adjourned till to Morrow Morning Nine a Clock.

To the Honourable Alexander Spotfwood his Maj^{ty} Lieu^t. Governor of Virginia

The Humble Address of the House of Burgeses

May it please your Honour

We think our Selves Obliged in a high Degree, by the favourable Opinion you are pleased to Exprefs, of the good Disposition of this House to Unanimity in our Councils,

if

if that or whatever else We can do, to Demonstrate our Loyalty to our King, may Recommend us to his favour, We shall Esteem it an Ample Reward for our best Services

We are deeply Sensible of the loss to this Colony, by the Death of our late most Gracious, and Indulgent Queen, which nothing could Repair, but the Succession of So Illustrious a Prince to the *British* Crown, who Inherits her Majestys Virtues, equally with her Kingdoms

It is Owing to your Honours prudent Administration, that our Frontiers are Secured, almost from the Apprehension of Danger, And it must be Attributed to your frugal Management that the Expence Should be Lessened, when the Services are increased, It is from this We hope, there is a Fund Sufficient to Defray the charge of that Design for the present year; And if you Shall See reason to Continue that Security for any longer time, We do Assure your Honour, This House will enable you to perform it, at least for One other year

We heartily Receive the *German* Protestants into our Country, And as a Mark of our good Disposition towards them have cheerfully given them an Immunity from Taxes for Seven years, If any more of that Nation and Religion Shall find Occasion to Settle with them, We question not, they will meet with a Reception and Incouragement, Suitable to their Condition.

We cannot but approve of the Treaty, your Honour is pleased to acquaint us, you have made with the Indians, And must believe a Settlement Laid upon the Foundation of good Policy, and true Religion, will be Attended with all the blessings and good Success that can be desired, And it is you Sir, will have the Honour, at the Same time you Guard us from our Enemies, of enlarging the Dominion of the Christian faith

We are preparing a Law for the better Regulation of the Indian Trade Recommended to us in your Honours Speech, by which We hope to prevent y^e evil practices of Some persons who have been too much concerned in the Clandestine Management of that Trade, and to Render it more beneficial to this Colony, than in former times, by which We also propose to find proper means to preserve the Arms and Ammunition, which her late Majesty, by your Application was graciously pleased to bestow upon this Country

We have under Consideration the Damage Done to the Crops of Corn and Tobacco in the late Drought, and are endeavouring to take proper Measures, for the relief of Such persons as may be Streitned thereby.

We should be wanting to our Selves if We did not on this Occasion; take Leave to Return your Honour the thanks of this House, for the Labours you indefatigably have undergone, and the hardships and Difficultys you have been pleased to Expose your person to, for the preservation of our Country from the Incursion of the Indians The Sence We have of the Justice in your Administration, and the many Instances you have given of your zeal, in promoting the Service of our Sovereign, and Advancing the Interest of this Colony, Demand our hearty prayers for your Honours health and welfare, and the long Continuance of your Government over us—

Thursday November the 25th 1714.

MR *Speaker* Reported That this House together with the Council had been to wait on the Governor with their Humble Address to the King: and had prayed his favour to get the Same Transmitted to his Majesty with all convenient Speed: Whereupon his Honour was pleased to Say as followeth *Vizt*

Gentlemen

I shall always with a great deal of Readiness and Pleasure Convey to his Majesty all those Testimonys you Shall give of your Loyalty

Mr *Holloway* acquainted the House that the Governor had been waited on to know his Pleasure when he would be Attended by this House, And that his Honour was pleased to Say immediately in the Council Chamber

Accordingly

Accordingly the House went up to Attend the Governor, and being Returned Mr *Speaker* Reported, that he with the House had been to Attend the Governor, and had presented to him their Humble Address, To which his Honour was pleased to give this Answer

Mr Speaker and Gentlemen of the House of Burgeesses

I am glad to find that your House thinks it just and proper to acknowledge the earnest endeavours I have used to Serve this Country and particularly the pains I have this year taken for its Security

I Rejoyce at the unanimity of your proceedings and am proud to Understand that this Address comes to me with a *Nomine Contradicente* from your House I take it as the United Voices of every County in *Virginia* and Return You Gentlemen of the House of Burgeesses my very hearty thanks for the Same.

And then the House Adjourned till to Morrow Morning Eleven a Clock

Friday November the 26th 1714.

A COMPLAINT being made to the House that one *John Cottrell* of the County of *Northumberland* had publickly in the hearing of Several Persons Spoke many Scandalous Words, highly Reflecting upon this House, and arrainging their proceedings, and had also Spoke Contemptuously of the Laws of the Country and had publickly affronted and abused *George Eskridge* Gentleman a Member of this House, in breach of the privilege of this House.

Ordered That it be Referred to the Committee of Priviledges and Elections to Examine the Matter of the Said Complaint, and to Report the Same, with their Opinion therein to the House

Ordered That Mr *John Robinson* and Mr *Waller* be Added to the Said Committee

A Petition of the Freeholders and Housekeepers of the County of *Isle of Wight* was by Leave of the House brought in and the Said Petition was presented to the House and Read Praying that the Petitioners may be Exempted from carrying their Crop Tobacco to the Publick Storehouses

Ordered That the Said Petition be Rejected

Several Claims from the County of *Isle of Wight* was by Leave of the House presented, and they are by the House Referred to the Consideration of the Committee for Publick Claims to Examine the matter thereof and Report the Same with their Opinion therein to the House

Mr *Holloway* Reported from the Committee to whom the Bill to prevent the Malitious Burning or Destroying the Publick Storehouses of Tobacco Agents was Committed that they had made Several Amendments to the Bill which they had Directed him to report to the House, which he Read in his place and afterwards Delivered in at the Table, where the Same were Read, and agreed unto by the House.

A Motion being made and the Question being put, That a Clause be Added to the Bill for continuing the Act of Assembly Entituled *an Act for preventing frauds in tobacco payments and for the better Improving the Staple of Tobacco for Five years, from and after the Tenth Day of this present November and from thence to the End of the then next Session of Assembly*

It passed in the Negative

Ordered That the Bill with the Amendments be Ingrossed

Mr *Walke* moving for Leave to be Absent on Extraordinary Occasions Leave is accordingly given him

And then the House Adjourned till to Morrow Morning Eleven a Clock

Saturday

Saturday November the 27th 1714

SEVERAL Claims from the County of *James City* were (by Leave of the House) presented and Referred to the Consideration of the Committee for Publick Claims to examine the Matter thereof And Report the Same with their Opinion therein to the House

Mr *William Robinson* from the Committee of Priviledges and Elections Reported that the Said Committee had taken into Consideration the Return of the Writt for Electing a Burgefs in *King William* County in the Room of *Henry Fox* Gentleman Deceased and therein had come to a Resolution which they had Directed him to Report to the House which he Read in his Place and then Delivered in at the Table where being again Read. The House agreed to the Said Report which is as followeth *Vizt*

Resolved That Mr *Orlando Jones* is Duly Returned a Burgefs to Serve in this Asssembly for the County of *King William* in the Room of *Henry Fox* Gent deceased

Mr *William Robinson* also Reported from the Said Committee the Matter as it appeared to them touching the Complaint against *John Cottrell* of the County of *Northumberland* and the Resolutions of the Committee thereupon which he Read in his place and afterwards Delivered in at the Table where the Same were Read and agreed unto by the House and are as follow

Resolved That *John Cottrell* of the County of *Northumberland* for Speaking Scandalous Words Reflecting upon this House and arrainging their proceedings and for Affronting and publickly abusing *George Eskridge* Gentleman a Member of this House is Guilty of a Breach of the priviledge of this House in a high nature

Resolved That the Said *John Cottrell* be Sent for in custody of the Messinger of this House to answer for the Said Offence

Resolved That *John Haney* of the County of *Northumberland* be Sent for in custody of the Messinger of this House to Answer for his Offence as an Incourager and Abettor of the Said *John Cottrell*

Resolved That *John Ingram William Jones Samuel Heath* and *John Copping* of *Northumberland* County and *Thomas Carter* of *Lancaster* County be Sumoned as Evidences for proving the Said Offences

Ordered That Mr *Speaker* Do accordingly issue his Warrants upon the Said Resolutions

Mr *Holloway* (according to Order) presented to the House a Bill to Repeal part of an Act Entituled *an Act Directing the manner of Levying Executions and for Relief of poor Prisoners for Debt*, And the Same was Received and Read the first time And Ordered to be Read a Second time

An Ingrossed Bill to prevent the malicious Burning or Destroying the Publick Storehouses of Tobacco Agents was Read the Third Time

Resolved That the Bill Do pass

Ordered That Mr *Holloway* and Eleven Members more do carry the Bill to the Council and also the Bill to prevent Hoggs Rooting within the City of *Williamsburgh* and certain Adjacent Places and Desire their Concurrence thereunto

Mr *Simons* moving for Leave to be absent Leave is accordingly given him

Mr *Samuel Harwood* hath Leave to be Absent on his Extraordinary Occasions till *Tuesday* next

And then the House Adjourned till *Monday* Morning Eleven a Clock

Monday November the 29th 1714

MR *Holloway* (according to Order) presented to the House a Bill to oblige Owners and Occupiers of Mills to which Publick Roads shall Lead to make the Dams of Such Mills Ten foot wide at the Top

A Bill to Repeal part of an Act Entituled *an Act Giving a Reward for killing of Wolves and for Lessening Such Reward*

A Bill to Divide the Countys of *Charles City* and *James City* by the River *Chicohominy*

And the Same were Received and Read the frst time and Ordered to be Read a Second time

Several Claimes from the County of *Elizabeth City* were (by Leave of the House) presented and they are by the House Referred to the Consideration of the Committee for Publick Claims to Examine the Matter thereof and Report the Same with their Opinion therein to the House

Ordered That Mr *Eskridge* be Added to the Committee for Publick Claims

Ordered That Mr *Allerton* and Mr *Tully Robinson* be Added to the Committee for Propositions and Grievances

Ordered That Mr *Larkin Chew* be at Liberty to withdraw his Claim brought in with the Claims from the County of *Effex* and by this House Referred to the Consideration of the Committee for Publick Claims

A Bill to Repeal part of an Act Entituled *an Act Directing the manner of Levying Executions and for Relief of poor Prisonners for Debt* was Read a Second time

After a Debate the Question was put That the Bill be Ingrossed

It passed in the Negative

Ordered That Leave be given to bring in a Bill to Continue an Act Entituled *an Act to prevent Frauds in Tobacco payments and for the better Improving the Staple of tobacco* And that the Committee of Propositions and Grievances Do prepare and bring in the Bill

Ordered That it be an Instruction to the Said Committee that they take into Consideration the unreasonable Rents Set upon Publick Tobacco Storehouses (if any Such Rents there be) and provide for the Remedying thereof

Ordered That it be an instruction to the Said Committee That they have power to Receive a Clause touching the Lands whereon Publick Storehouses are built by the Proprietors of Such Lands

And then the House Adjourned till to Morrow Morning Eleven a Clock

Tuesday November the 30th 1714

A COMPLAINT being Offered against Mr *George Marable* a Member of this House
The Question was put that he withdraw till the Complaint be made
Resolved in the Affirmative

And he withdrew accordingly

Then the Complaint being made that the Said *George Marable* did yesterday in a Debate in the House utter many undecent and Reflecting Speeches against Several Members of this House then present in breach of the Rules of the House

Ordered That the Rules be Read

And they were Read at the Table accordingly

Resolved That Mr *Marable* is Guilty of a Breach of the Rules of the House

Ordered That he be immediately called to the Bar of the House to Explain his meaning touching those undecent and Reflecting Speeches

And being called in Mr *Speaker* Acquainted him with Complaint made against him and the Resolution of the House thereupon

Mr *Marable* at the Bar Declared that he intended no Reflection by any Words or Speeches by him uttered in that Debate, And then withdrew

And the Question being put That Mr *Marable* be Admitted to his place in the House without further Censure

It was Resolved in the Affirmative

Mr *Holloway* (according to Order) presented to the House a Bill to Continue An Act Entituled *an Act for preventing frauds in Tobacco payments and for the better Improving*

ing the Staple of Tobacco, And the Same was Received and Read y^e frst time And Ordered to be Read a Second time

A Petition of *Samuel Boufh* Agent for the County of *Norfolk* Referred by the Council to the Consideration of this House was Read Praying Relief against the unreasonable Rents Set on the Publick Store houses appointed to be built at the Branch Bridge in the Said County

Ordered That the Consideration of the Said Petition be Referred to the Committee of Propositions and Grievances to Report their Opinion thereon

A Bill to Oblige Owners and Occupiers of Mills to which Publick Roads Shall Lead to make the Dams of Such Mills Ten foot wide at the Top: was Read a Second time

Ordered That the Bill be Ingrossed

A Bill to Repeal part of an Act Entituled *an Act Giving a Reward for killing of Wolves And for Lessening Such Reward* was Read a Second time

Ordered That the Bill be Ingrossed

A Bill to Divide the Countys of *Charles City* and *James City* by the River *Chicohominy* was Read a Second time

Ordered That the Bill be Ingrossed

A Petition of *Lewis Conner* of the County of *Norfolk* was presented to the House and Read Praying that Leave may be given to bring in a Bill to Confirm an Exchange of Lands made between Some free Negros of that County and the Petitioner

Ordered That the Consideration of the Said Petition be Referred to a Committee to Examine the Allegations thereof And Report the Same with their Opinion thereon to the House

And a Committee was appointed for that purpose (to wit) Mr *Holloway* Mr *Eskridge* Mr *Boufh* Mr *Tully Robinson* and Mr *Meriwether* And they have power to prepare and bring in a Bill according to the Prayer of the Said Petition if they think fit

Ordered That it be Referred to the Said Committee to Inspect the Law relating to the Setting Negros free and Report to the House what they find necessary thereupon

A Claim of *Catherin Guy* was presented to the House and Referred to the Consideration of the Committee for Publick Claims to Examine the Matter thereof and Report the Same with their Opinion therein to the House

And then the House Adjourned till to Morrow Morning Eleven a Clock

Wednesday December the 1st 1714.

MR *Buckner* (according to Leave) presented to the House a Bill to prevent Hoggs belonging to the Inhabitants of *York Town* going at large within the Limitts of the Said Town: And the Same was Received and Read the first time And Ordered to be Read a Second time

A Bill to Continue an Act Entituled *an Act For preventing frauds in Tobacco payments and for the betier Improving the Staple of Tobacco*, was Read a Second time And Several Amendments were made by the House to the Bill

Ordered That the Bill with the Amendments be Ingrossed

Thursday December the 2^d 1714.

A N Ingrossed Bill to Continue an Act Entituled *an Act For preventing Frauds in Tobacco Payments and for the better Improving the Staple of Tobacco* was Read the Third time

Resolved That the Bill Do pass

An Ingrossed Bill to Oblige Owners and Occupiers of Mills to which Publick Roads shall Lead to make the Dams of Such Mills Ten foot Wide at the Top was Read the Third time

Resolved

Resolved That the Bill do pass

An Ingrossed Bill to Repeal part of an Act Entituled *an Act Giving a Reward for killing of Wolves and for Lessening Such Reward*: was Read the Third time

Resolved That the Bill do pass

An Ingrossed Bill to Divide the Countys of *Charles City* and *James City* by the River *Chicohominy* was Read the Third time

Resolved That the Bill do Pass

Ordered That Mr *Holloway* Do carry the Bills to the Council and desire their Concurrence thereunto

And then the House Adjourned till to Morrow Morning Eleven a Clock

Friday December the 3^d 1714

THIS House being Informed that several Gentlemen of the Clergy attended with a Message, they were called in, And Delivered their Message in these Words

Mr Speaker and Gentlemen of the House of Burgeesses

We are Sent from the Convention of the Clergy with their hearty thanks for the favours of this House, more particularly for making the Law to prevent Frauds in Tobacco Payments, by which We are Sensible our Sallarys will be much more Valuable. We beg the Continuance of the favour of this House, And pray to God for the good Succes of all your proceedings

And then they withdrew

Mr *Conway* on Motion hath Leave to go into the Country on his Extraordinary Occasions

A Message from the Council by Mr *Robertson*

That the Council have made Several Amendments to the Bill Entituled *an Act to prevent the malicious Burning or Destroying the Publick Storehouses of Tobacco Agents*

And also to the Bill Entituled *an Act to prevent Hoggs Rooting within the City of Williamsburgh and certain Adjacent Places* To which the Council Desire the Concurrence of this House

The House proceeded to the immediate Consideration of the Said Amendments And the Same were Severally Read and Agreed unto by the House and made in the Bills

A Petition of *Charles Barret* was by Leave of the House presented and Read Praying an Allowance of Two pounds Fifteen Shillings for Visitts Attendance and Physick Administred to Prisonners in the Publick Goal

Ordered That the Said Petition be Referred to the Consideration of the Committee for Publick Claims to Examine the Matter thereof and Report the Same with their Opinion thereon to the House

A Bill to prevent Hoggs belonging to the Inhabitants of *York Town* going at large within the Limitts of the Said Town was Read a Second Time And Some Amendments were made by the House to the Bill

Ordered That the Bill with the Amendments be Ingrossed

Mr *Joseph Godwin* moving for Leave to be Absent on Extraordinary Occasions Leave is accordingly given him

Ordered That Mr *Holloway* Do carry the Bill Entituled *an Act to prevent the malicious Burning or Destroying the Publick Storehouses of Tobacco Agents*

Also the Bill Entituled *an Act to prevent Hoggs Rooting within the City of Williamsburgh and certain Adjacent Places*, to the Council and Acquaint them that this House have agreed to the Several Amendments by them propofed to the Said Bills, and have Inserted the Amendments in the Bills

And then the House Adjourned till to Morrow Morning Eleven a Clock

Saturday

Saturday December the 4th 1714

AN Ingrossed Bill to prevent Hoggs belonging to the Inhabitants of *York Town* Going at large within the Limitts of the Said Town was Read the Third time.
Resolved That the Bill Do pass.

Ordered That Mr *Buckner* Do carry the Bill to the Council and Desire their Concurrence thereunto

Mr *Crawford* on Motion hath Leave to go into the Country on Extraordinary Occasions

And then the House Adjourned till *Monday Morning Eleven a Clock*

Monday December the 6th 1714

APETITION of the Justices of the Peace for the County of *Princess Ann* in behalf of themselves And the rest of the Inhabitants of the Said County was by Leave of the House brought in, And the Same was presented to the House and Read, Praying to be excused building the Publick Storehouses at the places appointed in the Said County for Erecting Publick Storehouses on (the Same being inconvenient both to the Inhabitants and to Shipping) And that they may have Leave to build the Said Houses at *Newtown* a more convenient place

The House proceeded to the immediate Consideration of the Said Petition and thereupon

Resolved and accordingly *ordered*

That the Petitioners be excused building the Publick Storehouses at the Places appointed in the Said County of *Princess Ann* for Erecting Publick Storehouses on And that they have Leave to Erect and build the Same at *Newtown* in the Said County according to the Prayer of the Said Petition

A Message from the Council by Mr *Robertson*

That the Council have proposed Several Amendments to the Bill Entituled *an Act to Oblige Owners and Occupiers of Mills to which Publick Roads Shall Lead to make the Dams of Such Mills Ten foot wide at the Top* To w^{ch} the Desire the Concurrence of this House

Also that the Council have made Several Amendments to the Bill Entituled *an Act to repeal part of an Act Entituled an Act Giving a Reward for killing of Wolves and for Lessening Such Rewards to which their Honours Desire the Concurrence of this House*

The House proceeded to the immediate Consideration of the Said Amendments and the Same were Severally Read and agreed unto by the House and made in the Bills

Ordered That Mr *Holloway* and Seven Members more do carry the Bills to the Council and Acquaint them that this House have Agreed to the Several Amendments by them proposed to the Said Bills, And that the Said Amendments are made in the Bills accordingly

Mr *Boush* (according to Leave) presented to the House a Bill to alter the Day of holding the Court of the County of *Princess Ann* And for appointing another Day on which the Same Shall hereafter be held And the Same was Received and Read the first time And *Ordered* to be Read a Second time

And then the House Adjourned till to Morrow Morning Eleven a Clock

Tuesday December the 7th 1714

MR *Holloway* from the Committee of Propositions and Grievances Reported That the Said Committee had taken into Consideration Several Matters to them Referred and therein had come to Several Resolutions which they had Directed him to Report to the House which he Read in his place and afterwards Delivered in at the Table where being again Read The House proceeded to the Immediate Consideration of the Said Report

And

And upon Consideration of the Report of the Said Committee made upon that part of the Proposition from the County of *King William* which relates to persons who have made Small Crops this year

The House agreed to the Report of the Committee *Vizt*

Resolved That the Same may be properly provided for in the Bill Ordered by this House to be prepared for that purpose

And upon Consideration of the Report of the Said Committee made upon the Petition of *Samuel Boush* Agent for the County of *Norfolk* Praying that the Rent Setled by the Court of the said County of *Norfolk* on two Storehouses Ordered to be built by one *John Willson* at the Branch Bridge may be Lessened

The House agreed to the Report of the Committee *Vizt*

Resolved That the Subject matter of the Said Petition is already provided for

And upon Consideration of the Report of the Said Committee made upon their Inspecting and Considering the Act of Assembly Entitled *an Act for Laying a Duty on Liquors and Slaves*

The House agreed to the Report of the Committee *Vizt*

Resolved That the Powers given by the Said Act to the Officers appointed to Receive the Said Duty are not Sufficient: And that to make the Said Act more effectual, it may be necessary to give Authority to the Said Officers to break open and enter houses or Warehouses to Search for and Seize any Liquors or Slaves on which a Duty is Laid by the Said Act and which Shall be brought on Shore contrary to the Directions therein given: And that all persons who Shall bring Liquors on which a Duty is Laid by the Said Act from one District to any other District, Shall be obliged to enter the Said Liquors with the Officer in each District into which they shall be brought under a penalty.

Ordered That a Bill be brought in upon the Said Resolution and that the Committee of Propositions and Grievances do prepare and bring in the Bill.

And upon Consideration of the Report of the Said Committee made upon the Grievance from the County of *Prince George* That the Parishes of *Bristol Westover Waynoak* and *Martin Brandon* being part in the Said County of *Prince George* part in the County of *Henrico* and part in the County of *Charles City* by reason of the Rivers *James* and *Appamatox* Dividing the Said Parishes are Scituated very inconvenient to the Inhabitants of the Said County of *Prince George* And Praying the Said Parishes may be Divided from those parts thereof which Lye in the Said County of *Prince George* by the Said Rivers

The House agreed to the Report of the Committee *Vizt*

Resolved That the Said Parishes be Divided according to the Prayer of the persons Representing the Said Grievance and that they have Leave to prepare and bring in a Bill for that purpose

A Bill to alter the Day of holding the Court of the County of *Princeps Ann* and for appointing another day on which the Same Shall hereafter be held, was Read a Second time and Committed to the persons that prepared it

Ordered That the Committee for Publick Claims do inspect the Laws expired and near Expiring and Report what are fit to be Revived or Continued

Mr Treafurer moving that he may Lay his Accounts of the Revenue before the House.

Ordered That the Said Accounts be Laid before the House on *Thursday* next
Upon a Motion made

Ordered That it be an Instruction to the Committee to whom the Bill for altering the Day of holding the Court of the County of *Princeps Ann* and for appointing another day on which the Same Shall hereafter be held is Committed That they receive a Clause for altering the Court day of the County of *Effex*

Ordered That *Mr Hawkins* be Added to the Said Committee

And then the House Adjourned till to Morrow Morning Eleven a Clock

Wednesday

Wednesday, December the 8th 1714.

M^R *Holloway* (according to Order) presented to the House a Bill for the better Regulation of the Indian Trade

Also a Bill for the Relief of persons who by reason of the Drought of last Summer have made Small quantitys of Corn and Tobacco and the Same were Received and Read the first time and Ordered to be Read a Second time

^M*r Goodrich* (according to Leave) presented to the House a Bill to Divide the Parishes of *Bristol Westover* and *Waynoak* by the Rivers *James* and *Appamatox* and for Adding *Martin brandon* parish to one of the Said Parishes And the Same was Recieved and Read the first time and Ordered to be Read a Second time

^M*r Buckner* Reported from the Committee appointed to Inspect the Laws Expired and near Expiring That the Said Committee had Inspected the Said Laws accordingly and had come to Resolutions thereupon which they had directed him to Report to the House which he Read in his place and then Delivered them in at the Table where the Same were Read

Ordered That the Report be taken into Consideration to Morrow Morning

^M*r Buckner* Reported from the Committee for Publick Claims That the Said Committee had taken into Consideration the Several Matters to them Referred and therein had agreed upon Several Resolutions which they had Entered into a Book called the Book of Reports of the Committee for Publick Claims which he presented to the House and the Same was Recieved

Ordered That the Said Book of Reports Do Lye upon the Table

^M*r Boush* Reported from the Committee to whom the Bill for Altering the Day of holding the Court of the County of *Princess Ann* and for appointing another Day on which the Same Shall hereafter be held, was Committed, that they had made Several Amendments to the Bill which they had directed him to Report to y^e House, which he Read in his place and afterwards Delivered in at the Table where the Same were Read and agreed unto by the House

Ordered That the Bill with the Amendments be Ingrossed

A Message from the Council by ^M*r Robertson*

That the Council have Returned the Bill Entituled *an Act to Continue an Act Entituled an Act for preventing frauds in Tobacco payments and for the better Improving the Staple of Tobacco* and have proposed Several Amendments to the Said Bill To which the Council Desire the Concurrence of this House.

The House proceeded to the Consideration of the Said Amendments and the Same were Read and all of them agreed unto Except one which was Disagreed unto by the House

Ordered That the Committee of Propositions and Grievances do carry the Bill to the Council and Acquaint them that this House have agreed to all the Amendments by them proposed to the Said Bill except one which was Disagreed unto and desire their Honors to pass the Bill with the Amendments agreed unto by this House.

^M*r Thornton* Moving for Leave to go into the Country Leave is accordingly given him

^M*r Byrd* on his Motion hath Leave to go into the Country on his Extraordinary Occasions

And then the House Adjourned till to Morrow Morning Eleven a Clock

Thursday, December the 9th 1714.

A MESSAGE from the Council by ^M*r Robertson*

That the Council do not insist on the Amendment by them proposed to the Bill Entituled *an Act to Continue an Act Entituled an Act for preventing frauds in Tobacco payments And for the better Improving the Staple of Tobacco* to which this House have disagreed

Ordered

Ordered That Such of the Amendments Propofed by the Council to the Said Bill to which this Houfe have agreed be made in the Bill

And the Amendments were made in the Bill accordingly

Ordered That the Committee of Propofitions and Grievances do carry the Bill to the Council and acquaint them that Such of the Amendments propofed by their Honours to the Said Bill as were agreed unto by this Houfe are made in the Bill And defire their Honours to Agree to the Bill as Amended

Mr *Treasurer* (according to Order) Laid his Accounts of the Revenue before the Houfe

Ordered That the Said Accounts Do Lye upon the Table

The Houfe being Informed That the Meflinger had purfuant to Mr *Speakers* Warrant taken into Cuftody, *John Cottrell* of the County of *Northumberland* to Anfwer a Complaint made againft him for Reflecting on and Arraigning the Proceedings of this Houfe and Publickly Affronting *George Eskridge* Gent a Member thereof And that the Meflinger had alfo taken into Cuftody *John Haney* the younger of the Said County of *Northumberland* as an Incourager and Abettor of the Said *John Cottrell* in that Offence And that they Attended at the Door

A Motion being made and the Queftion being put that the Said *John Haney* be Difcharged out of cuftody

It was Refolved in the Affirmative and thereupon

Ordered That the Said *John Haney* be Difcharged out of cuftody without paying fees

John Cottrell being called to the Bar Mr *Speaker* acquainted him with the Complaint made againft him And then he withdrew

And being again called to the Bar Several Witneffes were called in and Examined touching the Matter of the Complaint made againft the Said *John Cottrell* And then they were Ordered to withdraw and they withdrew accordingly

After a Debate the Queftion was put that the Said *John Cottrell* is Guilty of a Breach of the priviledge of this Houfe

It paffed in the Negative.

Ordered That the Said *John Cottrell* be Difcharged out of Cuftody without paying fees.

Ordered That the Report of the Committee appointed to Infpect the Laws expired and near expiring be taken into Confideration to Morrow Morning

A Meflage from the Governor by Mr *Robertfon*

Mr *Speaker*

I am commanded by the Governor to Deliver to this Houfe his Honours written Meflage and a Memorial to which that Meflage doth Referr And he prefented the Same to the Houfe accordingly

Mr *Robertfon* alfo acquainted the Houfe that the Council have Returned the Bill Entituled an *Act to prevent Hoggs belonging to the Inhabitants of York Town going at large within the Limits of the Said Town* And that they have propofed Several Amendments to the Said Bill and an Amendment to the Title of the Bill To which the Council defire the Concurrence of this Houfe

Refolved That this Houfe will take the Said Meflage and Memorial into Confideration to Morrow Morning

And then the Houfe Adjourned till to Morrow Morning Eleven a Clock.

Friday December the 10th 1714.

A PETITION of *William Jones Samuel Heath* and *Thomas Carter* was prefented to the Houfe and Read Praying an Allowance for their Attendance as Evidences againft *John Cottrell* brought to the Bar of this Houfe purfuant to Mr *Speakers* Warrant

Ordered That the Said Petition be Rejected

Mr

Mr *Bolling* Moving for Leave to go into the Country till *Wednesday* next Leave is accordingly given him

An Ingrossed Bill for altering the Day for *Princess Ann* County Court And the Day for *Effex* County Court was Read the Third time

Resolved That the Bill do pass

Ordered That Mr *Bouj* Do carry the Bill to the Council and desire their Concurrence thereunto

The House proceeded to the Consideration of the Amendments proposed by the Council to the Bill Entituled *an Act to prevent Hoggs belonging to the Inhabitants of York Town going at large within the Limits of the Said Town* And the Same were Read And Some of the Said Amendments were agreed unto and Some of them Disagreed unto by the House.

Ordered That Mr *Buckner* Do carry the Bill to the Council and Acquaint them that this House have agreed to Some of the Amendments by them proposed to the Said Bill And to Some have disagreed. And desire their Honours to pass the Bill with the Amendments agreed unto by this House

A Bill for the Relief of Persons who by reason of the Drought of last Summer have made Small quantitys of Corn and Tobacco was Read a Second time and Committed

The House (according to Order) proceeded to the Consideration of the Governors written Message of Yesterday and the Memorial to which the Said Message Doth Refer And the Same being Read The Message is as followeth *Viz*

Mr Speaker and Gentlemen of the House of Burgeesses

By the Memorial which I herewith Send you I come to understand that Fourty hogheads of tobacco belonging to the King are now lying in the Country: And for want of the conveniency of Shiping could not be exported before the Act for preventing frauds in Tobacco payments took place. As this Tobacco was purchased long Since, and fell into his Majestys hands on Account of a Debt Due to the Crown, It is reasonable to believe that great part thereof is not So qualified as the late Act requires: And that it would be So much intirely lost to his Majesty if it Should for that reason be Stopped here; And therefore I Recommend this Case as proper to be Considered when you are taking measures for the Relief of those people who have Suffered by the last Summer's Drought.

The Disappointment of Shiping in the Country this year to carry off the old tobacco, has Occasioned many Grievances of the like nature; And thereupon I must both in behalf of his Majesty and divers of his Majestys Subjects earnestly exhort you to agree to Relax for a Short time the force of that Law: tho Still under Such Restrictions as may prevent frauds, while We intend only to Relieve the unfortunate To allow people the Liberty of Exporting Such old tobacco as they formerly would Venture to freight upon their own Risque, will be Some Compensation to them for the Shortness of their Crops, And an indulgence which in my opinion ought to be Extended to them under their present Pressures; And Since you have agreed to prolong the Form of the Act, you may now the better yeild to deferr a little the Commencement of it in all its Latitude.

A. Spotjwood

Ordered That the Said Message and Memorial be Referred to the Committee to whom the Bill for the Relief of persons who by reason of the Drought of last Summer have made Small quantitys of Corn and Tobacco is committed, And that they do Add Such a Clause to the Said Bill as Shall Answer the Matters Recommended in the Said Message

A Bill for Dividing the Parishes of *Bristol Westover* and *Waynoak* by the Rivers *James* and *Appamatox* And for Adding *Martin Brandon* Parish to one of the Said Parishes was Read a Second time and Committed to the Committee that prepared it.

Ordered That Mr *Littlebury Epes* be Added to the Said Committee

Ordered That it be an Instruction to the Said Committee that they have power to Recieve a Clause to prevent Suits of Law that may arise upon certain Bonds and Covenants passed concerning a Church to be built in one of the Said Parishes

Mr

Mr *Armistead* moving for Leave to go into the Country on Extraordinary Occasions Leave is accordingly given him And he is Ordered to Attend the Service of the House again on *Monday* next

Mr *Holloway* (according to Order) presented to the House a Bill to Supply the Defects in an Act Entituled *an Act for Laying a Duty on Liquors and Slaves*

Also a Bill to Exempt certain *German* Protestants from the payment of Levys for Seven years, and for Creating the Parish of *St George*. and the Same were recieved and Read the first time And Ordered to be Read a Second time

Mr *Newton* on Motion hath Leave to be Absent from the Service of the House on his Extraordinary Occasions till *Thursday* next

Some Proposals being Offered to the Consideration of the House in relation to the Indian Trade the Same were recieved and Read

Resolved That it is the Opinion of this House that the Trade with the Tributary and Forreign Indians may be best carryed on by a Company both with Respects to the Security of the frontiers And the Interest of the Country in General

Ordered That Leave be given to bring in a Bill upon the Said Resolution And that the Committee of Propositions and Grievances Do prepare and bring in the Bill

A Written Message from the Governor by Mr *Robertson*
Mr *Speaker* and *Gentlemen of the House of Burgeses*

The Revenue appropriated for the Support of this Government encreasing yearly in Deficiencies; I am obliged to Remind you of my Message of the 28th of *November* 1712 to which you then in your Answer to me, made no other Objection, than the want of time to Consider fully of So great a Work

Now after two years I may reasonably Expect you are prepared to come to Some Resolutions thereupon. And hope they will be Such as may not only Disburthen the Revenue of the charge of the Spy boat and *French* Prisoners, but may also better Enable the Treasurer for the future to pay off the Ordinary Sallarys and Expences of this Government. As soon as I understand you are Entered upon the Consideration of the Revenue I shall Order to be Laid before you the further State thereof to this time.

I have ordered Mr *John Tyler* to Attend with his Accompts of the Governors house, for the time that he was Overseer of that building

December the 10th 1714.

A. Spotswood

Resolved That this House will take the Said Message into Consideration to Morrow Morning

Mr *John Tyler's* Accompts were presented to the House and the Same were Recieved
Ordered That the Said Accompts Do Lye upon the Table

The House proceeded to the Consideration of the Book of Reports of the Committee for Publick Claims and part thereof being Read was agreed to with Some Amendments

Ordered That the Said Book be further Considered to Morrow

The Order of the day being Read for the House to take into Consideration the Report of the Committee appointed to Inspect the Laws Expired and near Expiring

Resolved That this House will take the Said Report into Consideration to Morrow
And then the House Adjourned till to Morrow Morning Eleven a Clock

Saturday December the 11th 1714.

THE House (according to Order) proceeded to the Consideration of the Governor's Message of yesterday and the Same was Read

Resolved That a Suitable Address to the Governor be prepared as an Answer to his Honor's Message

Ordered That Mr *Meriwether* Mr *Jones* Mr *Boush* Mr *Grey* Mr *Barbar* Mr *Bridger* Mr *Marable* Mr *Tully Robinson* and Mr *Joseph Godwin* Do prepare and bring in the Said Address

Ordered

Ordered That the Consideration of the Report of the Committee appointed to Inspect the Laws Expired and near Expiring (Referred to this Day) be further Referred till *Monday* next

Ordered That the further Consideration of the Book of Reports of the Committee for Publick Claims (Referred to this Day) be further Referred till *Monday* next

A Bill to Exempt certain *German* Protestants from the payment of Levys for Seven Years, And for Erecting the Parish of *S^t George*, was Read a Second time and an Amendment was made by the House to the Bill

Ordered That the Bill with the Amendment be Ingrossed

A Bill to Supply the Defects in an Act Entituled *an Act for Laying a Duty on Liquors and Slaves* was Read a Second time and Several Amendments were made by the House to the Bill

Ordered That the Bill with the Amendments be Ingrossed

Ordered That the Committee of Propositions and Grievances do wait on the Governor and Acquaint him with the proceedings of this House upon Consideration of his Honours Message of the Ninth Instant

A Petition of Several of the Inhabitants and freeholders of the County of *Middlesex* was presented to the House and Read Praying that Leave may be given to bring in a Bill for Ringing Hogs in the Said County of *Middlesex* to prevent the Mischiefs Done to their Lands by Rooting

Ordered That the Petitioners have Leave to prepare and bring in a Bill according to the Prayer of the Said Petition

And then the House Adjourned till *Monday* Morning Eleven a Clock

Monday December the 13th 1714.

MR *Goodrich* Reported from the Committee to whom the Bill for Dividing the Parishes of *Bristol Westover* and *Waynoak* by the Rivers *James* and *Appamatox* And for Adding *Martin brandon* Parish to one of the Said Parishes was Committed, That the Committee had made Several Amendments to the Bill and an Amendment to the Title of the Bill which they had Directed him to Report to the House, which he Read in his place and afterwards Delivered in at the Table where the Same were Read, and Some of the Said Amendments were agreed unto and Some of them Disagreed unto by the House.

Ordered That the Bill with Such of the Amendments as are agreed unto by the House be Ingrossed.

A Message from the Council by Mr *Robertson* That the Council have agreed to the Bill Entituled *an Act to Continue an Act Entituled an Act for preventing frauds in Tobacco payments and for the better Improving the Staple of Tobacco*, As Amended by the House.

Mr *Meriwether* Reported from the Committee appointed to prepare an Address to the Governor in Answer to his Honours Message of the Tenth Instant That they had prepared an Address accordingly which they had directed him to Report to the House which he Read in his Place and afterwards Delivered in at the Table, where the Same was Read

Ordered That the Said Address do Lye upon the Table

An Ingrossed Bill to Supply the Defects in an Act Entituled *an Act for Laying a Duty on Liquors and Slaves* was Read the Third time

Resolved That the Bill do pass

An Ingrossed Bill to Exempt certain *German* Protestants from the Payment of Levys for Seven years and for Erecting the Parish of *S^t George* was Read the Third time

Resolved That the Bill do pass.

Ordered That the Committee of Propositions and Grievances do carry the Bills to the Council and Desire their Concurrence thereunto

Ordered

Ordered That the further Consideration of the Book of Reports of the Committee for Publick Claims (Referred to this Day) be further Referred till to Morrow

The House (according to Order) proceeded to the Consideration of the Report of the Committee appointed to Inspect the Laws Expired and near Expiring And the Same was Read And part thereof was Agreed unto by the House And is as followeth *Vizt*

Resolved That the Act Entituled *an Act for Security and Defence of the Country in times of Danger* Expiring the Tenth day of this present *December* be Continued

Resolved That the Act *for prevention of Abuses in Tobacco Shipped on Freight* Expiring at the End of this present Session of Assembly be Continued

Ordered That the Committee of Claims Do prepare and bring in a Bill or Bills for Continuing the Said Acts

Ordered That the further Consideration of the Said Report be Referred till to Morrow

And then the House Adjourned till to Morrow Morning Eleven a Clock

Tuesday December the 14th 1714.

A WRITTEN Message from the Governor by Mr *Robertson*
Mr Speaker and Gentlemen
of the House of Burgesjes.

December the 14th 1714

You know that by your own Acts and Resolves both the *Carolina* Fund and this years pay of Eleven Troops of Rangers is intirely at my disposal for certain uses: And you Say in your late Address to me that you hope there is a Fund Sufficient to Defray the charge of Securing the Frontiers for the present year: And that If I shall See reason to Continue that Security for any longer time, you will enable me to perform it, at least for one other year

My Sentiments upon this Matter are, that the Guard of the Frontiers should be Continued upon the foot of the new Regulation I have made thereof, and without expecting from you any further Supply for this purpose than what you have already engaged to Raife; I now propose to take upon me to defray the whole Expence not only for the present year, but also for Two years longer from about this time, So that the whole Expence of maintaining an Officer and twelve men at *Christanna*, and Four Troops of Rangers according to the present Establishment, of fortifying and making the Road to *Germanna*; of the Fortifications and Buildings at *Christanna*; of Surveying Land for the Indian Settlements, of Treating this year with the Indians both Tributary and Foreign; of my Six weeks Expedition upon the Frontiers; and in general all charges whatsoever that have Accrued this year by the measures I have taken to Secure the Frontiers, Shall be entirely Defrayed with no more than the Tobacco, which you are to Levy for the Ranging Service to the 31st of *January* next together with the Remainder of the *Carolina* Fund

By this Proposal you may not only perceive that I have considerably lessened the charge of Securing the Frontiers, but you will Also find the people are in this year of Scarcity eased in their Publick Levys above Two Hundred thousand weight of Tobacco, which will be raised timely enough if half thereof be paid the next year and the Remainder the year following

A: Spotswood

Resolved That this House will take the Said Message into Consideration to Morrow Morning

Mr *Christopher Neal* moving for Leave to go into the Country for Recovery of his health Leave is accordingly given him

A Petition of *Francis Tylor* Messinger of the House was (by Leave) presented to the House and Read Praying an Allowance of Five pounds Expended in Sending for Several persons Inhabitants of the Northern Neck pursuant to Mr *Speakers* Warrant

And

And the Question being put that the Said *Francis* be Allowed according to the Prayer of his Petition

It was Resolved in the Affirmative and thereupon

Ordered That an Allowance of Five pounds be made to the Petitioner according to the Prayer of his Petition

And the Allowance was made in the Book of Claims accordingly

Mr *Holloway* (according to Order) presented to the House a Bill for the better Regulation of the Indian Trade and the Same was Recieved and Read the first time and Ordered to be Read a Second time

Upon a Motion made

Ordered That the Committee for Publick Claims Do Inspect the Treasurers Accounts and Report to the House by way of Account the Several Debts due from the Revenue and what Sum or Sums of Money are now in the Treasurers hands for the Discharge of those Debts.

Mr *Holloway* Reported from the Committee to whom the Bill for the Relief. of persons who by reason of the Drought of last Summer have made Small quantities of Corn and Tobacco, was Committed that the Committee had made Several Amendments to the Bill And an Amendment to the Title of the Bill which they had directed him to Report to the House which he Read in his place and then Delivered in at the Table where the Same were Read and Agreed unto by the House, And Some other Amendments were made by the House to the Bill

Ordered That the Bill with the Amendments be Ingrossed

A Message from the Council by Mr *Robertson*. That the Council have agreed to the Bill Entituled *an Act to Divide the Countys of Charles City and James City by the River Chicohominy* with Some Amendments To which y^e Council Desire the Concurrence of this House

The House proceeded to the immediate Consideration of the Said Amendm^{ts} and the Same Were Read and Disagreed unto by the House

Ordered That the Committee of Propositions and Grievances do carry the Bill to the Council And Acquaint them that this House Do not agree to the Amendments by them proposed to the Said Bill

An Ingrossed Bill for Dividing those parts of the Parishes of *Bristol Westover* and *Waynoak* which Lye on the South Side of *James* and *Appamatox* Rivers from those parts of the Said Parishes which Lye on the North Side the Said Rivers and to make *Prince George* County two entire Parishes was Read y^e third time

Resolved That the Bill do pass

Ordered That the Persons that prepared the Bill do carry the Same to the Council and Desire their Concurrence thereunto

Mr *Eskridge* Reported that the Committee of Claims had [according to Order] prepared a Bill for Continuing an Act Entituled *an Act for Security and Defence of the Country in times of Danger*, And also a Bill for Continuing an Act Entituled *an Act for prevention of Abuses in tobacco Shipped on freight* and he presented the Bills to the House and the Same were Recieved and Read the first time and Ordered to be Read a Second time

The House [according to Order] proceeded to the further Consideration of the Book of Reports of the Committee for Publick Claims, and Some other part thereof was Read and with Several Amendments agreed unto by the House

Ordered That the further Consideration of the Said Book be Referred till the Governors Message of this Day be Considered

Ordered That the further Consideration of the Report of the Committee appointed to Inspect the Laws expired and near expiring [Referred to this day] be further Referred till the Governors Message of this day be Considered

And then the House Adjourned till to Morrow Morning Eleven a Clock.

Wednesday

Wednesday December the 15th 1714

A BILL for Continuing an Act Entituled *an Act for prevention of Abuses in Tobacco Shipped on Freight* was Read a Second time
Ordered That the Bill be Ingrossed

A Message from the Council by Mr *Robertson*—

That the Council do not insist on the Amendments by them proposed to the Bill Entituled *an Act to prevent Hogs belonging to the Inhabitants of York Town going at large within the Limits of the Said Town*, to which this House have disagreed. And that the Council have agreed to the Bill with Such of their Amendments as this House have agreed unto

A Bill for Continuing an Act Entituled *an Act for Security and Defence of the Country in times of Danger* was Read a Second time, and Several Amendments were made by the House to the Bill

Ordered That the Bill with the Amendments be Ingrossed

Ordered That Mr *John Tylers* Accompts of the Governors House be Inspected by the Committee of Claims, And that they do Report to the House what they find necessary thereupon

The House proceeded to the Consideration of the Address to be presented to y^e Governor in Answer to his Honours Message of the 10th Instant to y^e Revenue appropriated for the Support of this Government, And the Same was Read and with Amendments agreed unto by the House and is as followeth *Vizt*

To the Honourable Alexander Spotswood her Maj^{ty} Lieu^t Govern^r of Virginia
May it Please your Honour

We his Majestys most Loyal and Dutiful Subjects the Burgees^s find our Selves under a great Streight how to proceed upon your Honours Message of the 10th Instant relating to the Revenue appropriated for the Support of this Government

Our Desires Prompt us to a Due Consideration of the Matter Recommended but we are Dishearten'd therefrom by the Low Circumstances of our Country and its present Engagements, Since by means thereof we think it not in our Power to prosecute those Desires

We hope this Declaration hath weight enough in it to Excuse us with your Honour for not proceeding further at this time, and we humbly Submit our Selves to your Hono^{rs} wonted goodness for a favourable Representation to his Majesty on this Occasion: by which And a Suitable Application of the Council for the Quit Rents We are in hope his Majesty will be Graciously pleased to Direct that the whole or part of that Fund be made use of for the better Support of this Government,

December the 15th 1714

Ordered That the Said Address be fairly Transcribed and Signed by Mr *Speaker*

Ordered That the Persons that prepared the Said Address with Five members more do present the Same to the Governour

An Ingrossed Bill for the Relief of Persons who by reason of the Drought of last Summer have made Small quantitys of Corn and tobacco and who for want of Opportunity of Shiping have great quantitys of old tobacco now by them, and for Punishing persons who shall carry any hoghead of tobacco not stamped out of this Colony was Read the Third time

Resolved That the Bill do pass

Ordered That the Committee of Propositions and Grievances Do carry the Bill to the Council and Desire their Concurrence thereunto

A Message from the Council by Mr *Robertson*—

That the Council do Insist on their Amendments proposed to the Bill Entituled *an Act to Divide the Countys of Charles City and James City by the River Chicohominy* to which Amendments the Council Desire the Concurrence of this House

Ordered That the Consideration of the Said Message be Referred till *Friday* next

The

The House [according to Order] proceeded to the Consideration of y^e Governors Message of Yesterday and the Same was Read

Resolved That a Suitable Address to the Governor be prepared as an Answer to the Said Message

Ordered That the Committee of Propositions and Grievances do prepare and bring in the Said Address. And that they forthwith attend the Governor and Acquaint him with the Resolve of this House upon the Said Message

An Ingrossed Bill for Continuing an Act Entituled *an Act for prevention of Abuses in Tobacco Shipped on freight*, was Read the third time

Resolved That the Bill do pass

Ordered That the Committee of Claims Do carry the Bill to the Council and desire their Concurrence thereunto

Mr *John Robinson* [according to Leave] presented to the House a Bill to prevent hogs going at large in the County of *Middlesex*, And the Same was Received and Read the first time, And Ordered to be Read a Second time

Ordered That Leave be given to bring in a Bill for Regulating the Current Rates of Gold Coin

Ordered That the Committee of Propositions and Grievances do prepare and bring in the Bill

An Ingrossed Bill for Continuing an Act Entituled *an Act for Security and Defence of the Country in times of Danger* was read the Third time

Resolved That the Bill do pass

Ordered That the Committee of Claims do carry the Bill to the Council and Desire their Concurrence thereunto

A Bill for the better Regulation of the Indian Trade was Read a Second time.

And the Question being put that the Bill be Retained

It was Resolved in the Affirmative

Ordered That Such Amendments as Shall be proposed to the Said Bill be Offered to Morrow

And then the House Adjourned till to Morrow Morning Eleven a Clock.

Thursday December the 16th 1714

THE House Resumed the Consideration of the Bill for the better Regulation of the Indian Trade, and Several Amendments being proposed to the Bill

Ordered That the Bill be Committed to the Committee that prepared it

A Written Message from the Council by Mr *Robertson*

Mr *Speaker* and *Gentlemen of the House of Burgeffes*

Upon Consideration of that part of Your Yesterdays Address to the Governor; wherein you mention a Suitable Application of the Council for a Supply from the Quit Rents, to make good the Deficiency of the Revenue: The Council do unanimously approve your Motion; but to Render it more Effectual are of Opinion that it Requires a Joint Application of both Council and Burgeffes, being a business of the greatest Consequence to the Governm^t. We therefore desire your Concurrence in an Address to his Majesty to this purpose, And that you will appoint a Committee of your House to meet a Committee of the Council to Draw it in a Suitable manner

The House proceeded to the immediate Consideration of the Said Message, And thereupon

Resolved That a Committee of this House be appointed to meet a Committee of the Council to Draw up an Address to his Majesty upon the Subject Matter of the Said Message

And a Committee was appointed for that purpose (to wit) Mr *Holloway* Mr *Meriwether* Mr *Buckner* Mr *Christopher Robinson* Mr *John Robinson* and Mr *Eskridge*

Ordered

Ordered That the Said Committee Do acquaint the Council with the proceedings of this House upon their Honors Message

Mr *Holloway* Reported that the Committee appointed to prepare an Address to the Governor in Answer to his Honors Message of the 14th Instant had prepared an Address accordingly which they had directed him to Report to the House, which he Read in his place and afterwards Delivered in at the Table where the Same being again Read

Resolved Nemine Contradicente

That this House Do agree with the Committee in the Said Address

Ordered That the Address be fairly transcribed and Signed by Mr *Speaker*

Ordered That the Committee that prepared it with Six Members more do present the Same to the Governor

A Bill to prevent Hogs going at large in the County of *Middlesex* was Read a Second time and Several Amendments were made by the House to the Bill

Ordered That the Bill with the Amendments be Ingrossed

A Message from the Council by Mr *Robertson*. That the Council have appointed Three of their Members to meet the persons appointed by this House [in the Conference Room at three of the Clock] to draw an Address to his Majesty upon the Subject Matter of the Councils written Message of this day

And then the House Adjourned till to Morrow Morning Eleven a Clock

To the Honourable Alexander Spotswood his Maj^{ty} Lieut Govern^r of Virginia

The Humble Address of the House of Burgeffes

May it Please your Honour

The many proofs you have given us of your Care in Disposing the Publick Moneys you have been pleased to take under your Management agreeably to the Purposes for which they were designed have Etablised So firm a Confidence in this House of your Honours Justice and Frugallity that We think the Treasure of this Colony cannot be more Safely Entrusted or better Laid out than under the Direction of a Governor whose Interest is united with that of the Publick

We have Considered the Proposal made to this House in your Honours Message of the Fourteenth Instant And take it to be So Advantageous to the Publick that We do most readily Accept it And the manner you are pleased to propose for payment of the Tobacco will be So easy to the people under the Difficultys they Labour by their present Misfortunes that We are obliged to Return you the thanks of this House for that Indulgence

The Judgment you have Shewn in forming the Design of Guarding the Frontiers from the Incurfion of the Indians And the Application you have used in putting it in Execution make us desire your Honour will be pleased to proceed in the method you have So well Confered and We Heartily pray yo^r Hono^r may Rule over us many more years than will bring that work to perfection.

December the 16th 1714.

Friday December the 17th 1714

MR *Holloway* Reported that the Committee appointed by this House together with the Members appointed by the Council to draw up an Address to his Majesty upon the Subject Matter of the Councils written Message of yesterday had drawn up an Address to his Majesty accordingly, And also an Address to the Governor to Sollicit his Honors favor in getting the Same presented to his Majesty And that the Council have Approved the Said Addreffes And he presented them to the House and the Same being Read and approved by the House

Ordered That Such Members of this House as were of the Committee appointed to Draw up an Address to his Majesty Do carry the Said Addreffes to the Council and Acquaint them that this House do approve the Same

A Written Message from the Governor by Mr *Robertson*Mr *Speaker* and Gentlemen of the House of Burgesses

The Address you Sent me Yesterday contains So many Expressions of your Confidence in, and Approbation of my Management of your Publick Treafure, that they cannot but be Extremely pleasing to me, And I return you thanks for the Same

If I Live among you to bring to perfection what I have already begun, for Security of your Frontiers; it shall be my care to convince the whole Country that the trust reposed in me by their Representatives is not misplaced; but Since you know I am only here during pleasure, it is my desire that you have a Visible Security for the Due Application of what charge you Shall be at on that account, And therefore I propose in the first place, That all the Rangers as they are now Established be paid off to the Tenth of *November* last past, and the Tobacco Levied as usual. That the pay which shall be due to them from the Said Tenth Day of *November* to the first of *December* 1715 be Levied for them in the year 1715 which together with the Cash I Reckon amounts to 124852^{li} of tobacco And that the pay for the Succeeding year from the first day of *December* 1715 to the first of *December* 1716 amounting to 118368^{li} tobacco, be paid in the Publick Levy for the Said year 1716. By which means the Services will be performed before the pay becomes due, and the people will be eased in their Publick Levys this year 243,220 pounds of tobacco. In the next place that the Remainder of the Tobacco which would have been due to the Eleven Troops of Rangers, if they had continued compleat till the 31st of *January* next, be now Levied and appointed to be paid to me for Defraying Such Charges as I have already Laid out. And because I am under an Engagement to pay a considerable quantity of tobacco in the Countys of *Richmond* and *Essex*, I desire that as much as the Publick Levy of those two Countys amount to may be paid me there, or else in that of *King* and *Queen* And lastly that for easing the Country from the payment of Interest on the *Carolina* Fund I propose that the Sum of £174. being the pay that will be due to the Officers and men appointed for the Guard of *Christanna* for One year ending the first day of *December* 1715, And the like Sum for their pay to the first of *December* 1716 Remain in the hands of your Treasurer until those payments become due. And that the Remainder of that fund not already taken upon Interest be paid to me as the Same Shall arise out of the Dutys on Liquors and Slaves next after the payment of the Principal and Interest already due.

This I hope will be a Sufficient Security for the Application of what you have entrusted me with, and a Testimony of my Intentions to render the Guard of your Frontiers as little burthenfome to the People as possible

A: *Spotswood*

The House proceeded to the immediate Consideration of the Said Message and thereupon

Resolved and accordingly Ordered

That the Rangers pay be Levied as proposed in the Said Message; And that the Committee for Publick Claims do perfect the Book of Claims accordingly

Mr *Holloway* (according to Order) presented to the House a Bill for Regulating and Settling the Current Rates of Gold Coin and of *Brittish* milled Silver Coin in this Dominion and the Same was Received and Read the first time and Ordered to be Read a Second time

Mr *Holloway* Reported from the Committee to whom the Bill for the better Regulation of the Indian Trade was Committed: That they had made Several Amendments to the Bill which they had Directed him to Report to the House which he Read in his place and afterwards Delivered in at the Table where the Same were Read and agreed unto by the House

Ordered That the Bill with the Amendments be Ingrossed

An Ingrossed Bill to prevent hoggs going at large in the County of *Middlesex* was Read the third time

Resolved That the Bill do pass

Ordered

Ordered That the Burgeffes for the County of *Middlesex* and Four Members more do carry the Bill to the Council and desire their Concurrence thereunto

The House [according to Order] took into Consideration the Amendments insisted on by the Council proposed to the Bill Entituled *an Act to Divide the Countys of Charles City and James City by the River Chicohominy* and the Same were Read

After a Debate the Question was put that the Amendments be agreed to

It passed in the Negative

Resolved That the House do Adhere to the Bill as passed by this House

Ordered That the Committee of Propositions and Grievances do carry the Bill to the Council and Acquaint them that this House do Adhere to the Bill without any Amendments and desire their Honours to agree to the Bill as passed by this House

A Message from the Council by Mr *Robertson*. That the Council have Signed the Address to his Majesty and also the Address to the Governor and have Returned the Same to this House for their Signing

And then the House Adjourned till to Morrow Morning Eleven a Clock

To the Kings most Excell^t Maj^{ty}

The Humble Address of the Council and Burgeffes of Virginia

We your Majestys most Loyal and Dutiful Subjects the Council and Burgeffs of *Virginia* now met in a General Assembly humbly beg Leave to Represent to your Majesty

That your Majestys Revenue of 2^s. 3^d hoghead on all Tobacco Exported out of this Colony, and Tunnage and head Money which is the only Revenue appropriated for the Support of this Government by the Great decay of the Tobacco Trade, Occasioning a Proportionable Decrease of the Exports, is So Sunk that it is no longer able to defray the Etablissementd Sallarys And other both Ordinary and Extraordinary charges of the Government, but is now very considerably in Debt, and the Officers Sallarys unpaid

That upon a diligent Search of Presidents how the like Deficiencies have been made good in former times We find that by a Letter of his Majesty King *Charles y^e Second* Dated in the year 1684 and Directed to the Lord *Effingham* then Governor of *Virginia* his Majesty is Graciously pleased to Declare his Royal Intentions to Apply all the profits and advantages accruing by the Revenue of Quit Rents of this Colony for the better Support of the Government thereof, and that accordingly the Deficiency of 2^s. 3^d hoghead have been always Supplied by your Majestys Predecessors out of the Said Fund of the Quit Rents, which for that purpose was Reserved in this Country ready for all Emergencies of this Government till about nine year ago, that the Same was called into the Exchequer in *England*

We humbly pray your Majesty will therefore be Graciously pleased to direct the Quit Rents of this Country back into their old Channel, And that out of them the present Deficiency of the Revenue may be made good; with power also to your Majestys Governor with Advice and Consent of the Council to Apply the Same for Answering any Sudden Emergencies where your Majestys Service might Suffer for want of a more timely Supply than Application at So great Distance will Admit Subject nevertheless to be duly Accounted for as formerly to your Majesty

And We shall ever pray

To the Honourable Alexander Spotswood his Maj^{ty}s Lieu^t. Govern^r of Virginia

The Humble Address of the Council and

Burgeffes of the present General Assembly

May it Please your Honour

The experience We have of your great Care Vigilance Prudence and Good Conduct in Managing your Trust in this Government to the best Advantage for his Majestys Service and the Publick Good Encourages us with more than Ordinary Confidence to have Recourse to you on all Occasions of Difficulty

Of these there is one at present most Sensibly felt, and if not timely provided for may expose this Government to the utmost danger and Contempt. It is the Deficiency
of

of the Sole Fund Alotted for the Eftablifhed Sallarys, and all the other both Ordinary and Extraordinary charges of the Government

Sir, upon a Diligent Search of Preidents how the like Deficiencies were formerly made good, We find it hath always been out of the Fund of the Quit Rents which used to be referved in this Country ready upon all Such Occasions, and proved exceeding Serviceable in cafes of Sudden Emergency to the Crown and this Government till about nine year ago they were called in to the Exchequer in *England*, where as they are not So ready to Anfwer any Sudden Necessity of this Government, So there is no obtaining them but by repeated Applications to the Throne, which cannot be made without great charge and Difficulty

The Council and Burgeffes have thought it their Duty and absolutely neceffary to Addrefs his Majefty on this Occasion; and to make a true Representation of this Affair. This Addrefs they humbly request your Honour to Tranfmit and to favour with your own Recommendation which they doubt not will have great Weight, and will encrease the Obligations of Gratitude Due from this Colony, And the Council and Burgeffes who are

Sir

Your moft humble and Obedient Servants

Saturday December the 18th 1714

AN Ingroffed Bill for the better Regulation of the Indian Trade was read the Third time

Resolved That the Bill Do pafs

Ordered That the Committee of Propofitions and Grievances Do carry the Bill to the Council and defire their Concurrence thereunto

A Bill for Regulating and Setling the Currant Rates of Gold Coin and of *Brittish* milled Silver Coin in this Dominion was Read a Second time and an Amendm^t was made by the Houfe to the Bill

Ordered That the Bill with the Amendment be Ingroffed

A Meffage from the Council by Mr *Robertfon*.

That the Council have agreed to the Bill Entituled *an Act for Altering the Day for Princefs Ann County Court and the Day for Effex County Court* with Several Amendments to which the Council defire the Concurrence of this Houfe

And alfo that the Council have agreed to the Bill Entituled *an Act to Exempt certain German Proteftants from the payment of Levys for Seven Years and for Erecting the Parijh of Saint George* with Several Amendments to which the Council Defire the Concurrence of this Houfe

The Houfe proceeded to the Confideration of the Said Amendments and the Same were Severally Read and agreed unto by the Houfe

Ordered That the Committee of Propofitions and Grievances Do carry the Bills to the Council and acquaint them that this Houfe have agreed to the Several Amendments by them propofed to the Said Bills

A Motion being made and the Queftion being put That the Duty on Liquors and Slaves be Continued

It was *Resolved* in the Affirmative

Resolved That the Said Duty be Continued for Two years from and after the Expiration of the Act Entituled *an Act for Laying a Duty on Liquors and Slaves*

Ordered That the Committee of Propofitions and Grievances Do prepare and bring in a Bill upon the Said Refolution

And then the Houfe Adjourned till *Monday Morning Eleven a Clock*

Monday

Monday December the 20th 1714

MR Holloway [according to Order] presented to the House a Bill for y^e further Continuing an Act for Laying a Duty on Liquors and Slaves and two other Acts relating to that Act, And the Same was Received and Read the first time, and Ordered to be Read a Second time

An Ingrossed Bill for Regulating and Settling the Current Rates of Gold Coin and of British Milled Silver Coin in this Dominion was Read the third time

Resolved That the Bill do pass

Ordered That the Committee of Propositions and Grievances do carry the Bill to y^e Council and Desire their Concurrence thereunto

Upon a Motion made

Ordered That Mr Buckner Mr Allerton Mr Francis Epes and Mr Soane do Inspect Mr Christopher Jacksons Account of the charge of Surveying and Laying out the City of Williamsburgh and the Roads to the Ports belonging to the Said City and also that they Examine the Said Jackson upon Oath touching the Article of Expences in the Said Account mentioned, and Report to the House their Opinion thereupon

A Bill for the further Continuing an Act for Laying a Duty on Liquors and Slaves And two other Acts relating to that Act, was Read a Second time And an Amendment was made by the House to the Bill

Ordered That the Bill with the Amendment be Ingrossed

A Message from the Council by Mr Robertson

That the Council have agreed to the Bill Entituled an Act for Continuing an Act Entituled an Act for prevention of Abuses in Tobacco Shiped on Freight without any Amendment

And also that the Council have agreed to the Bill Entituled an Act to prevent Hogs going at large in the County of Middlesex without any Amendment

An Ingrossed Bill for the further Continuing an Act for Laying a Duty on Liquors and Slaves and two other Acts relating to that Act was Read the Third time

Resolved That the Bill do pass

Ordered That the Committee of Propositions and Grievances Do carry the Bill to the Council and Desire their Concurrence thereunto

A Message from the Council by Mr Robertson. That the Council have agreed to the Bill Entituled an Act for Dividing those parts of the Parishes of Bristol Westover and Waynoak which Lye on the South Side of James and Appamatox Rivers from those parts of the Said Parishes which Lye on the North Side the Said Rivers and to make Prince George County two entire Parishes with Several Amendments, To which the Council Desire the Concurrence of this House

And then the House Adjourned till to Morrow Morning Eleven a Clock

Tuesday December the 21st 1714

MR Buckner from the Committee for Publick Claims Reported that the Said Committee had [according to Order] perfected the Book of Claims which he presented to the House and the Same was Received and Read through and with Some Amendments agreed unto by the House, And the Allowances to the Several Officers of the Assembly were added by the House to the Book

Ordered That the Committee for Publick Claims Do carry the Book to the Council and Desire their Honours Concurrence thereunto

A Message from the Council by Mr Robertson.

That the Council have agreed to the Bill Entituled an Act for the Relief of persons who by reason of the Drought of last Summer have made Small quantitys of Corn and Tobacco and who for want of Opportunity of Shipping have great quantitys of old tobacco now
by

by them and for punishing persons who shall carry away hogheads of tobacco not Stamped out of this Colony, with Some Amendments to which the Council desire the Concurrence of this House

The House proceeded to the Consideration of the Said Amendments and y^e Same were Read and Agreed unto by the House and made in the Bill

Ordered That the Committee of Propositions and Grievances do carry the Bill to the Council and acquaint them that this House have agreed to the Amendm^{ts} by their Honours proposed to the Said Bill

The House proceeded to the Consideration of the Amendments proposed by the Council to the Bill Entituled *an Act to Divide those parts of the Parishes of Bristol Westover and Waynoak which Lye on the South Side of James and Appamatow Rivers from those parts of the Said Parishes which Lye on the North Side the Said Rivers and to make Prince George County two entire Parishes* And the Same were Read and part of the Said Amendments were agreed unto and part of them disagreed unto by the House and a new Amendment was made by the House to the Bill

Ordered That the Persons that prepared the Bill Do carry the Same to the Council and Acquaint them that this House have agreed to part of the Amendments by them proposed to the Said Bill and to part have disagreed and have made a new Amendment to the Bill to which they desire their Honours Concurrence

And then the House Adjourned till to Morrow Morning Eleven a Clock

Wednesday December the 22th 1714

A MESSAGE from the Council by Mr *Robertson*.

That the Council have agreed to the Bill Entituled *an Act for Continuing an Act Entituled an Act for Security and defence of the Country in times of Danger*

And also that the Council have agreed to the Bill Entituled *an Act for the further Continuing an Act for Laying a Duty on Liquors and Slaves* and two other Acts relating to that Act without any Amendments

And that the Council have agreed to the Bill Entituled *an Act for Regulating and Setting the Current Rates of Gold Coin and of Brittish Milled Silver Coin in this Dominion* with Several Amendments to the Bill and an Amendment to the Title of the Bill to which the Council desire the Concurrence of this House

And also that the Council have agreed to the Bill Entituled *an Act to Supply the Defects in an Act Entituled an Act for Laying a Duty on Liquors and Slaves* with Several Amendments to which the Council Desire the Concurrence of this House

The House proceeded to the Consideration of the said Several Amendments to the Said Bills and the Same were Severally Read and Agreed unto by the House

Ordered That the Committee of Propositions and Grievances do carry the Bills to the Council and Acquaint them that this House have agreed to the Amendments by them proposed to the Said Bills

Mr *Buckner* Reported from the Committee appointed to Inspect the Account of Mr *Christopher Jackson* for Surveying and Laying out the City of *Williamsburgh* and the Roads and Ports to the Said City belonging, that the Said Committee had Inspected and considered the Said Account And are of Opinion that the Said *Jackson* be Allowed for the Said Service the Sum of Thirty Seven pounds Fourteen Shillings And that he be Allowed for his Disbursements thereon Thirty four pounds Thirteen Shillings and two pence

Resolved That this House Do agree with the Committee in the Said Report

A Message from the Council by Mr *Robertson*:

That the Council do recede from part of the Amendments by them proposed to the Bill Entituled *an Act to Divide those parts of the Parishes of Bristol Westover and Waynoak which Lye on the South Side of James and Appamatow Rivers from those parts of the Said Parishes*

Parishes which Lye on the North Side the Said Rivers and to make Prince George County two entire Parishes to which this House have Disagreed: And on part of the Said Amendments do insist and have made an Amendment to the Amendments propofed by this House to the Amendments of the Council

The House proceeded to the Consideration of the Said Message and after Some time Spent therein

A Motion was made and the Question was put. That a Conference be desired with the Council on that part of their Amendment on which their Honours do insist

It passed in the Negative

Resolved That this House do Adhere to the Amendments by them propofed to the amendments of the Council to the Said Bill

Ordered That the persons that prepared the Bill do carry the Same to the Council and acquaint them with the Resolution of this House upon their Said Message

Mr *Buckner* Reported that the Committee for Publick Claims had [according to Order] Inspected Mr *Treasurers* Accompts And that they find the ballance thereof due to the General Assembly £885 || 14 || 7½ And the General Accompt of Mr *Treasurer* was Read and passed the House of Burgeffes

Ordered That Mr *George Walker* do make Oath to his Accompt mentioned in the Said General Accompt of Mr *Treasurer* and also that he make Oath to the Accompt of Mr *Nicholas Curle* deceased by him given in to Mr *Treasurer* and in the Said General Accompt mentioned

Ordered That the Committee for Publick Claims do carry Mr *Treasurers* Accompts to the Council and Desire their Concurrence thereunto

Resolved and accordingly *Ordered*

That So much of the Money appropriated for the Service and Relief of *North Carolina* as was taken up at Interest be with the Interest thereupon paid out of the Moneys now in Mr *Treasurers* hands by the first day of *February* next at furthest and that no further Interest be Allowed for the Same

Resolved and accordingly *Ordered*

That the Money Allowances made to the Officers the last Session and this present Session of Assembly be paid the Several Persons to whom the Same is due out of the Money arising by the Dutys on Liquors and Slaves next after the money appropriated for the Service and Relief of *North Carolina* And that for So much of the Said Allowances as Shall Remain unpaid by the first day of *February* next there shall be Allowed to the Persons claiming the Same after the Rate of five ½ Cent ½ Annu upon Such Money unpaid as aforefaid until the Same be paid Provided Such Allowance of Interest do not exceed Six months

Upon a Motion made

The House was called over and thereupon

Ordered That *William Bridger Francis Gouldman John Hawkins Willolby Allerton John Waugh* and *Henry Fitzhugh* [failing to Answer upon call] be Sent for in custody of the Messinger to Answer their Defaults in not Attending according to their Duty the Service of the House, and that Mr *Speaker* issue his Warrant accordingly

A Message from the Council by Mr *Robertson* That the Council have passed Mr *Treasurers* Accompts And that the Same are Assented to by the Governor

And then the House Adjourned till to Morrow Morning Eleven a Clock

Thursday December the 23^d 1714

ORDERED That Mr *Boush* Mr *Newton* Mr *Francis Epes* Mr *Goodrich* Mr *Jones* and Mr *Waller* Do Examine the Several Inrolled Bills by the Ingrossed Bills

A Message from the Council by Mr *Robertson*. That the Council have agreed to the Bill Entituled *an Act for the better Regulation of the Indian Trade* with Several Amendments To which they Desire the Concurrence of this House

A Written Message from the Governor by Mr *Robertson*
 Mr *Speaker* and Gentlemen of the House of Burgeffes

Your Address in Answer to my Speech at the Opening of this Session gives me to Expect that you will take Some Measures for preserving the Arms and Ammunition: And in your Bill for Regulating the Indian Trade, I observe the Methods you propose for that purpose but I must let you understand that I dare not trust the Kings Magazine to be Negotiated without good Security given that there shall be no Embezzlement of the Arms and Ammunition and it cannot but be a person of Low circumstances who shall think it worth his while to Attend an Office for a Sallary of Twelve pounds, and as Such I cannot place him in So great a Trust, and therefore I must Desire you to fall upon ways and means to provide a better Sallary to the End I might find a Sufficient and Responsible Officer. I hope this will not take up much of your time, for I am Sensible how Inconvenient an Adjournment would be to you at this Season and the Scituation of Affairs will not Admit of a long Prorogation

A Spotswood

The House took the Said Message into Consideration and thereupon increased the Sallary of the Magazine keeper by way of Amendment to the Bill for the better Regulation of the Indian Trade

Ordered That Leave be given to bring in a Bill for Erecting a Magazine and that the Committee of Propositions and Grievances do prepare and bring in the Bill

Then the House proceeded to the Consideration of the Amendments proposed by the Council to the Bill for the better Regulation of the Indian Trade, And the Same were Read and part of the Said Amendments were agreed unto and part of them Disagreed unto by the House

Ordered That the Committee of Propositions and Grievances do carry the Bill to the Council and acquaint them that this house Have agreed to part of the Amendments by them proposed to the Said Bill and to part have disagreed and Desire their Honours to pass the Bill with the Amendments agreed unto by this House

Ordered That the Committee for Publick Claims do carry the Resolve of this House of yesterday relating to the Allowance made to the Officers of the Assembly to the Council and desire their Concurrence thereunto

A Written Message from the Council by Mr *Robertson* with the Book of Claims

The House proceeded to the immediate Consideration of the Said Message and the Same was Read and is as followeth *Vizt*

Mr *Speaker* and Gentlemen of the House of Burgeffes

Upon Consideration of the Book of Claims the Council observe that the Allowance made to the Lieutenants *Jackson* and *James*, is Computed for five Days more than they actually Ranged it appearing that the Said Rangers were disbanded on the 10th of *January* the Allowance for each Troop for the Said five days being 832^{li} tobacco the Council propose may be deducted out of the Sum mentioned in the Book of Claims and Added to the Sum appointed to be paid the Governor

And Since it will appear by the Computation herewith Sent that the full pay to the Eleven Troops of Rangers if they had been continued to the 31th of next month amounts to 721220^{li} of tobacco and that the Several Sums of Tobacco mentioned in the Book of Claims fall Short of that Sum 39192^{li} tobacco The Council propose that the Said last mentioned Sum be Added to the other Sums in the Book of Claims which are to be Levied this year for the Governor to enable him [according to his Propofal] to pay off the Debts he has already contracted for Securing the Frontiers

Ordered That the Amendments proposed by the Council to the Book of Claims be made in the Book and that the Committee for Publick Claims do immediately withdraw and make the Said Amendments

And they withdrew accordingly

And

And being Returned Mr *John Robinson* reported that the Said Committee had made the Amendments in the Book as propofed by the Council

Ordered That the Committee for Publick Claims Do carry the Book to the Council and acquaint them that the Amendments by them propofed are made in the Book

A Meflage from the Council by Mr *Robertfon*. That the Council have agreed to the Refolve relating to the Allowances made to the Officers of the Affembly with an Addition

The Houfe took the Said Meflage into Confideration and the Said Addition was Read and Difagreed unto by the Houfe

Ordered That the Committee for Publick Claims Do acquaint the Council that this Houfe have Difagreed to the Addition by them propofed to the Said Refolve

A Meflage from the Council by Mr *Robertfon*. That the Council have paffed the Book of Claims and alfo the Refolve relating to the Allowance made to the Officers of the Affembly as Sent up by this Houfe and that they have obtained the Governors Affent to the Same.

Ordered That a Bill be brought in for Raifing a Publick Levy and that the Committee for Publick Claims do prepare and bring in the Bill.

A Committee for Proportioning the Publick Levy *Viz*

Mr *Buckner*.....Mr *John Robinson*

Mr *Soan*.....Mr *Bolling*

A Meflage from the Council by Mr *Robertfon* That the Council do Infift on their Amendments propofed to the Bill Entituled *an Act for the better Regulation of the Indian Trade* to which this Houfe have difagreed

The Houfe took the Said Meflage into immediate Confideration and thereupon

Refolved That this Houfe do adhere to the Difagreement of thofe Amendments on which the Council do infift

Ordered That the Committee of Propositions and Grievances do acquaint the Council with the Said Refolve

And then the Houfe Adjourned till to Morrow Morning Eight a Clocke

Friday December the 24th 1714

UPON a Motion made

Refolved That all the Money heretofore given for the Service of *North Carolina* not made ufe of be paid to the Honourable the Lieu^t. Governor according to the Propofal in his Meflages to this Houfe of the 14th and 17th Instant

Ordered That the Committee of Propositions and Grievances Do carry a Coppy of the Said Refolve to the Council and Defire their Concurrence to the Refolve

Mr *Holloway* [according to Order] prefented to the Houfe a Bill for Erecting a Magazine And the Same was Received and Read the frft time and Ordered to be Read a Second time

Mr *Buckner* Reported that the Committee for Publick Claims had [according to order] Infpected Mr *John Tylers* Accounts of the Governors Houfe and do find due to the Said *Tyler* upon ballance Two hundred Thirty Eight pounds Ten Shillings and One Penny

And the faid Report being Considered was agreed unto by the Houfe

A Bill for Erecting a Magazine was Read a Second time and Several Amendm^{ts} were made by the Houfe to the Bill

Ordered That the Bill with the Amendments be Ingroffed

A Meflage from the Council by Mr *Robertfon*. That the Council do Recede from Such of their Amendments by them propofed to the Bill Entituled *an Act for the better Regulation of the Indian Trade* to which this Houfe do not Agree

An

An Ingrossed Bill Erecting a Magazine was Read the third time

Resolved That the Bill do pass

Ordered That the Committee of Propositions and Grievances do carry the Bill to the Council and Desire their Concurrence thereunto

Mr *Buckner* [according to Order] presented to the House a Bill for Raising a Publick Levy and the Same was Received and Read the first time and Ordered to be Read a Second time

Resolved That the Bill be now Read a Second time

And the Bill was Read a Second time and Several Amendments were made by the House to the Bill

Ordered That the Bill with the Amendments be Ingrossed

Mr *John Robinson* Reported that the persons appointed had [according to Order] Proportioned the Publick Levy and that it amounted to Seventeen pounds of tobacco and a quarter $\frac{3}{4}$ Poll And he presented to the House a Book of the Proportions and the Same was Received Read and agreed unto by the House

Ordered That the Persons that Proportioned the Publick Levy Do carry the Said Book to the Council and desire their Concurrence thereunto

An Ingrossed Bill for Raising a Publick Levy was Read the Third time

Resolved That the Bill do pass

Ordered That the Committee for Publick Claims Do carry the Bill to the Council and desire their Concurrence thereunto

A Message from the Council by Mr *Robertson* That the Council have agreed to the Bill Entituled *an Act for Erecting a Magazine* without any Amendm^{ts}

And that the Council have agreed to the Resolve of this House of this day relating to the Money given for the Relief of *North Carolina* and have obtained the Governor's Assent thereunto

And also that the Council have agreed to the Bill Entituled *an Act for Raising a Publick Levy* without any Amendments

Mr *Boush* Reported that the persons appointed had [according to Order] Examined the Several Inrolled Bills by the Ingrossed Bills and that the Said Bills are truly Inrolled

Ordered That the Persons that Examined the Inrolled Bills do carry the Same to the Council for their Perusal

A Message from the Council by Mr *Robertson*. That the Council have agreed to the Book of Proportions without any Amendments And have obtained the Governors Assent thereunto

And also that the Council have perused and Examined the Bills Sent up by this House and are Satisfied that the Same are truly Inrolled

A Message from the Governor by Mr *Robinson*.

Mr *Speaker*

The Governor Commands the immediate Attendance of this House in the Council Chamber And that you bring with you Such Bills as are ready for his Assent

Accordingly Mr *Speaker* with the House went up to Attend the Governor in the Council Chamber where he was pleased to pass the Several Bills following *Viz*

An Act for the better Regulation of the Indian Trade

An Act to Exempt certain German Protestants from the Payment of Levys for Seven Years and for Erecting the Parish of Saint George

An Act for the Relief of Persons who by reason of the Drought of last Summer have made Small Quantities of Corn and Tobacco And who for want of Opportunity of Shipping have great quantities of old tobacco now by them And for Punishing persons who shall carry any hogheads of tobacco not Stamped out of this Colony

An Act for Erecting a Magazine

An Act to prevent the malicious burning or Destroying the Publick Store houses of Tobacco Agents

An

An Act to Continue an Act Entituled an Act for preventing frauds in Tobacco payments and for the better Improving the Staple of Tobacco

An Act for Continuing an Act Entituled an Act for prevention of Abuses in Tobacco Shipped on freight

An Act to Supply the Defects in an Act Entituled an Act for Laying a Duty on Liquors and Slaves

An Act for the further Continuing an Act for Laying a Duty on Liquors and Slaves And two other Acts relating to that Act

An Act for Regulating and Settling the Current Rates of Gold Coin and of Brittish Silver Coin in this Dominion

An Act to Oblige Owners and Occupiers of Mills to which Publick Roads Shall Lead to make the Dams of Such Mills Ten foot wide at the Top

An Act to Repeal part of an Act Entituled an Act giving a Reward for killing of Wolves and for Lessening Such Rewards

An Act for Altering the Day for Princefs Ann County Court And the Day for Essex County Court

An Act for Raifing a Publick Levy

An Act to prevent Hoggs rooting within the City of Williamfburgh and certain Adjacent Places

An Act to prevent Hoggs going at large in the County of Middlesex

An Act to prevent Hoggs Rooting within the Limitts of York Town

JOURNAL

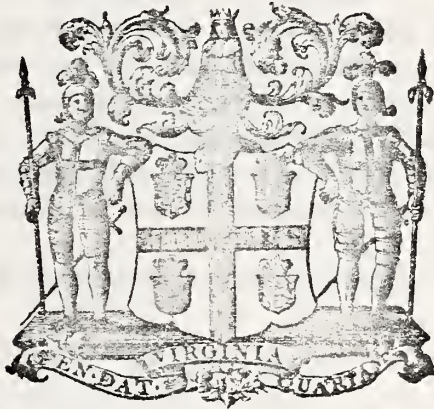
OF THE

HOUSE OF BURGESSES.

AT A

GENERAL ASSEMBLY

Begun at the Capitol the Third Day of *August*
in the Second Year of the Reign of Our
Sovereign Lord GEORGE by the Grace of God
of *Great Brittain ffrence and Ireland* King
Defender of the ffaith &c Annoq₃ Domini 1715



RICHMOND, VIRGINIA.

MCMXI.

JOURNAL

of the

HOUSE OF BURGESSES.

Wednesday August the 3^d 1715.

THE Members present to the Number of forty nine having taken the Oaths and made and Subscribed the Declaration and taken the Oath of Abjuration according to the Laws made for those purposes met in the House.

A Message from the Governor by Mr *Robertson*.

Gentlemen of the House of Burgeses.

The Governor Commands your immediate Attendance in the Council Chamber, Accordingly the House went up to Attend the Governor, And he was pleased to Say to this Effect

Gentlemen

The first Step to be made in the proceedings of the business for which we are Affembled is that you Repair to your House and make Choice of a Speaker. Accordingly the Burgeess Returned to their House, and proceeded to the Choice of a Speaker: And Three Persons being Nominated the House made Choice of Mr *Daniel McCarty* for their Speaker who was Conducted and placed in the Chair.

Ordered That Mr *Corbin* Mr *Mason* Mr *Meriwether* Mr *Conway* Mr *Presly* Mr *Griffin* Mr *Goodrich* Mr *Marable* Mr *Robinson* Mr *Ashton* Mr *John Buckner* and Mr *Neal* Attend the Governor and Acquaint him that this House have made Choyce of a Speaker and know his Honors pleasure when the House shall present him.

Mr *Corbin* acquainted the House that the Governor having been waited upon to know when he would please that this House should present their Speaker. His Honour hath been pleased to appoint to morrow morning at Eleven a Clock in the Council Chamber

And then the House Adjourned till to morrow morning Ten a Clock

Thursday August the 4th 1715.

SEVERAL other Members took the Oaths and made and Subscribed the Declaration and took the Oath of Abjuration according to the Laws made for those Purposes.

Mr *Speaker* Reported that the House had this Day Attended the Governor in the Council Chamber, where his Honour was pleased to Declare the Causes of calling this Assembly in a long Speech of which Speech he had obtained a Copy, which he Read to the House and is as follows.

Gentlemen of the Council and House of Burgeses

Nothing less than a very important Occasion could have urged me thus Suddenly to call an Assembly, and to Conveen you at this Season of the year. I Judging it high
time

time to have Recourse to your Advice and Assistance, when the Safety and Honour of this Colony Lyes dangerously at Stake.

What has lately befallen our Fellow Subjects in *South Carolina* is Surely a dreadful warning to this Government, whose Inhabitants live as much exposed; and I am not now to whisper to you (as formerly) my Apprehensions of future dangers and practicable Attempts; — Murders Massacres, and Tortures already Committed on your Neighbours, Loudly call upon you to Arm and Secure your People from a Treacherous and Merciless Enemy: and after Such an *ultima Ratio*, Such ultimate reasoning, Words must add little towards convincing you of the necessity of a more useful Militia and of providing better for the Defence of your frontiers.

Since you Gentlemen of the Council have concurred in all the Measures hitherto taken for the Relief of our Distressed Brethren in *Carolina*, and have Resolved with me to Afford them all the Assistance that Lyes in our power to give, it now rests Solely on you, Gentlemen of the House of Burgesses, to Determine whether or no, that oppressed Province Shall owe its Deliverance to *Virginia*.

I question not but in the Deliberations of your House, you'll find that Duty, Honour, and Interest Engage you to give immediate Succour, and I hope those Motives will Enable you to overcome the Difficultys which Humour or prejudice may cast in the way.

It is the Maxim of your Mother Country to defend its Neighbouring States [tho' Forreign Subjects] from all ambitious Invaders. and it would argue a Strange Degeneracy in you to Refuse Aid to your Neighbours and fellow Subjects, when they are Attack'd by a powerful Confederacy of the most barbarous and blood thirsty foes that ever were upon the face of the Earth. We must appear to have neither Policy nor bowels of Compassion, if this Government can remain unconcerned, while Savage Pagans are overrunning one of our Adjacent Provinces, and inhumanely Butchering and Torturing our Brethren

Commissioners from *South Carolina* have been here to Sollicit this Government for a Supply of men and Arms, and I have made a Treaty to Aid them with both, as far as the Conditions of this Colony can Spare: The Encouragements given by those poor People to the forces We lend, them are as great as reasonably can be expected from them in their present Circumstances; And I must Recommend to you to do Some what on your Part that may facilitate the Levys on this Occasion, and render that Service more acceptable to our People.

The Raising men for the Assistance of that Province, and other Preparations of Warr for the Security of this; could not be effected without Expences: and that I Sincerely believe the Measures I have taken were immediately necessary, I can give no greater proof, than my Postponing the Payment of my own Sallary, by employing on this Emergency the fund given for the Maintainance of your Governo^r.

And this I have done, trusting that the impending Dangers will awaken the Representatives of the People into just Considerations of Supporting the Executive power; which at present is most dangerously restrained, by the Deficiency of the Revenue, from duly providing against Calamitys that our Neighbours are actually laboring under: And hereupon I am obliged earnestly to press you Gentlemen of the House of Burgesses, to give Some Supplies in Order to Redress this Grievance of the Government.

That you may have before you the full State of Affairs, I must further acquaint you that I have lately Received, from Some of the Nations now warring against *Carolina*, Offers of an Accommodation; but the prospect of Such a Treaty ought by no means to divert or retard the Preparations of Defence That I am exhorting you to; for the Surest way to bring those Pagans to our Terms, is to let them See our demands back'd with a force: and in my Opinion never had *Virginia* So fair an Opportunity as now, to acquire Glory, and appear to the Heathen the most formidable Dominion in *America*, Such a Reputation may at this Juncture be purchased with a Small Expence, and will,

I am perfwaded Guard your Country hereafter better than Some hundreds of Rangers kept in pay upon the frontiers

Gentlemen

It has already been Signified to you by the Writts which called you hither, that the chief matter I had to confult you upon was what I have now Laid before you: and this Affair being of a nature that requires immediate Difpatch, I fhall forbear to Offer any thing elfe at this time to your Confideration, being defireous to make this a Short Seffion, that I may be at liberty to treat with the Indian Chiefs, whom I expect, in the manner I Judge the moft Advifeable, that is, at the head of a body of men on the frontiers

Resolved That this Houfe will take the Said Speech into Confideration on *Munday* next.

A Commiffion from the Governor to Mr *ffrancis Tyler* to be Meffinger to the Houfe was Read

A Petition of *Benjamin Goodwin* Clerk was prefented to the Houfe and Read Praying to be Admitted Chaplain to the Houfe

Ordered That the Said *Goodwin* be Chaplain to the Houfe and that he Attend each morning in the Conference Room at Nine of the Clock and Read Divine Service.

A Committee of Elections and Priviledges

Mr *Corbin* Chairman

Mr *Meriwether*.....Mr *Presley*

Mr *Conway*.....Mr *Griffin*

Ordered That Mr *Miles Cary* be Clerk of the Committee of Elections and Priviledges and give his Attendance accordingly.

A Committee for Publick Claims.

Mr *Beverley* Chairman

Mr *Barbar*.....Mr *Drumond*

Mr *Bird*.....Mr *Randolph*

Mr *Neal*.....Mr *Diggs*

Mr *Marable*.....Mr *Goodrich*

Mr *Boujsh*.....Mr *Jones*

A Petition of Mr *Miles Cary* was prefented to the Houfe and Read Praying to be Admitted Clerk to the Committee for Publick Claims

Ordered That he be Admitted Clerk to the Said Committee for Publick Claims and that he give his Attendance accordingly.

A Committee for Propofitions and Grievances

Mr *Clayton* Chairman

Mr *Corbin*.....Mr *Conway*

Mr *Meriwether*.....Mr *Majon*

Mr *Afhon*.....Mr *Harriſon*

Mr *Robinfon*.....Mr *Burwell*

Mr *Jenkins*.....Mr *John Buckner*

A Petition of Mr *Phillip Lightfoott* was prefented to the Houfe and Read Praying to be Admitted Clerk of the Committee for Propofitions and Grievances.

Alfo a Petition of Mr *Chriſtopher Jackſon* was prefented to the Houfe and Read Praying to be Admitted Clerk of the Same Committee

Ordered That Mr *Phillip Lightfoott* be Clerk of the Committee of Propofitions and Grievances and that he give his Attendance accordingly.

Ordered That the Committees have power to Adjourn themſelves *De Die in Diem* and to Send for Perfons Records Journals and other Papers they fhall from time to time have Occaſion of

The Orders of the Houfe for the laſt Seffion being Read at the Table.

Resolved That the Houfe do approve the Same and that they be Continued Orders for this Seffion.

Ordered

Ordered That the Said Orders Lye constantly upon the Table for the Perusal of the Members.

Resolved and accordingly *Ordered*.

That it be a Standing Rule of this House that fifteen Members with the Speaker be a Sufficient number to Adjourn

Resolved and accordingly *Ordered*

That all Propositions Grievances and Publick Claims be brought into the House on this day Seven night at furthest or not to be Received in this Session of Assembly without particular Leave of the House

Ordered That the Clerk of the House Publish the furthest time Set by y^e House for Receiving Propositions Grievances and Publick Claims during this Session by Setting up a fair Copy of the Resolve of the House made in that behalf.

Ordered That the Committee of Propositions and Grievances Inspect the Journal of the House at the last Session and Report to the House what they find necessary to be taken into Consideration this Session.

Ordered That the Committee for Publick Claims Inspect the Report of the Committee of Claims at the last Session and Report to the House what they find necessary to be further Considered this Session.

Resolved and accordingly *Ordered*

That all Petitions Propositions and Grievances Directed for y^e last Session of Assembly and not then Considered be Admitted to the Consideration of this Session.

Several Publick Clayms from the Countys of *King William York King and Queen Gloucester Middlesex Norfolk Isle of Wight Henrico Stafford Essex Prince George and New Kent* were presented to the House and Read and Referr'd to the Consideration of y^e Committee for Publick Claims to Examine the Matter thereof and Report the Same with their Opinion thereon to the House.

Several Propositions and Grievances from the Countys of *Nansemond and Richmond* were Read and Referred to the Consideration of the Committee for Propositions and Grievances to Report their Opinion thereon.

A Petition of the *Nottoway* Indians was presented to the House and Read Praying a Grant of their former Rights and Priviledges and to be admitted to Live on and hold their Lands according to Law.

Ordered That the Said Petition be Referr'd to the Consideration of the Committee for Propositions and Grievances to Report their Opinion thereon to the House.

Some Propositions and Grievances from the County of *New Kent* Signed by Several of the Inhabitants of the Said County were presented to the House and not being Certified as the Law Directs. a Complaint was made to the House that the Said Propositions and Grievances were presented to the Court held in that County for Receiving and Certifying Propositions and Grievances and that the Court would not Receive nor Certify the Same. And the House being Informed that Mr *Thornton* Clerk of the Said Court was at the Door, he was called in and Examined touching the matter of the Said Complaint and then he withdrew.

Ordered That such of the Justices of the Court of the County of *New Kent* (to wit) Mr *George Keeling* Mr *Richard Littlepage* Mr *Thomas Butts* and Mr *Alexander Walker* who Refused to Receive and Certify the Said Propositions and Grievances be Sent for in Custody of the Messinger of this House and that Mr *Speaker* issue his Warrant accordingly

The Several Propositions and Grievances from the County of *New Kent* were Read and Referrd to the Consideration of the Committee of Propositions and Grievances to Report their Opinion thereon.

Several Publick Claims from the County of *Richmond* were presented to the House and the Same not being proved and Certified The House was Informed by Some of their Members that the Justices of the Said County neglected to meet and hold a Court for proof of Publick Claims as by Law they ought. Whereupon a Motion was made,
and

and the Question put: That the Justices of the County of *Richmond* be prosecuted by y^e Attorney General for that neglect.

Resolved in the Affirmative

Ordered That the Claims from the County of *Richmond* be Referred to the Consideration of the Committee for Publick Claims to Examine the Matter thereof and Report the Same with their Opinion thereon to the House

A Proposition from the County of *New Kent* was Read in w^{ch} it is proposed that the Charges of this Assembly be Lessened and that the Countys between *York* and *James River* be laid out Square

Ordered That the Said Proposition be Rejected.

And then the House Adjourned till to morrow morning Ten a Clock

Friday August the 5th 1715

SEVERAL Publick Claims from the Countys of *Charles City Lancaster King and Queen Westmoreland and Warwick* were presented to the House and Referr'd to the Consideration of the Committee for Publick Claims to Examine the Matter thereof and Report the Same with their Opinion thereon to the House

A Petition of *James Adams* Referr'd by the Governor & Council to the Consideration of this House was Read Praying an Allowance for being Interpreter to the *Pamoukey* and *Chicahomeny* Indians

Ordered That the Said Petition be Referr'd to the Consideration of y^e Committee for Publick Claims to Report their Opinion thereon to the House

A Petition of the freeholders and Inhabitants of the *Manican* Town Referred by the Governor and Council to the Consideration of this House was Read Praying Liberty to pay their Publick and County Dues in flax Hemp Cotton Wheat or Corn.

Ordered That the Said Petition be Referr'd to the Consideration of y^e Committee for Propositions and Grievances to Report their Opinion thereon

Several Propositions and Grievances from the Countys of

<i>King and Queen</i>	<i>Warwick</i>
<i>Middlesex</i>	<i>King William</i>
<i>Westmoreland</i>	<i>Henrico</i>
<i>Northumberland</i>	<i>Charles City</i>
<i>Lancaster</i>	<i>Prince George</i>
<i>Stafford</i>	<i>Isle of Wight</i>
<i>Essex</i>	<i>Norfolk</i>
<i>Gloucester</i>	<i>Princess Ann</i>
<i>Yorke</i>	<i>Accomack</i>
.....	<i>Northampton</i>

Were Read and Referr'd to the Consideration of the Committee for Propositions and Grievances to Report their Opinion thereon

A Petition of M^r *William Harwood* was presented to the House and Read Complainning of an undue Election and Return for the County of *Warwick*

Ordered That the Said Petition be Referr'd to the Consideration of the Committee of Elections and Priviledges and that they do Examine y^e Matter thereof and Report the Same with their Opinion thereupon to the House

A Complaint being made to the House that one *John Bolling* of the County of *Henrico* hath Affaulted beaten and very much wounded M^r *Richard Corke* [*Cocke*] a Member of this House in Breach of the Priviledge of this House.

Ordered That it be Referred to the Committee of Priviledges and Elections to Examine the Matter of the Said Complaint, and that they do Report the Same with their Opinion thereupon to the House.

And then the House Adjourned till to morrow morning Ten a Clock

Saturday

Saturday August the 6th 1715.

UPON a Motion made.

Ordered That Mr *Treasurer* Lay his Accounts of the Revenue before the House on *Monday* next

Mr *Corbin* Reported from the Committee of Elections and Priviledges that the Said Committee had taken into Consideration the Several Returns on the Writts for Electing Burgeffes to Serve in this present General Assembly and therein had come to Several Resolutions which the Committee had directed him to Report to the House which he Read in his Place and then Delivered in at the Table where the Same was again Read

The House proceeded to the immediate Consideration of the Said Report and part thereof was Read and agreed to and is as followeth *Vizt.*

Resolved That Mr *Richard Cocke* and Mr *William Randolph* are Duly Returned Burgeffes to Serve in this present General Assembly for the County of *Henrico*.

Resolved That Mr *William Armistead* and Mr *Henry Jenkins* are duly returned Burgeffes to Serve in this present General Assembly for the County of *Elizabeth City*.

Resolved That Mr *Maximilian Boujh* and Mr *Horatio Woodhouse* are duly Returned Burgeffes to Serve in this present General Assembly for the County of *Princes Ann*.

Resolved That Mr *William Woodbridge* and Mr *Thomas Griffin* are duly Returned Burgeffes to Serve in this present General Assembly for the County of *Richmond*.

Resolved That Mr *Nicholas Meriwether* and Mr *John Stanop* are duly Returned Burgeffes to Serve in this present General Assembly for the County of *New Kent*.

Resolved That Mr *John Lear* and Mr *James Reddicke* are duly Return'd Burgeffes to Serve in this present General Assembly for the County of *Nansemond*

Resolved That Mr *Edwin Conway* and Mr *James Ball* are duly returned Burgeffes to Serve in this present General Assembly for the County of *Lancaster*

Resolved That Mr *Peter Presley* and Mr *Christopher Neal* are duly Returned Burgeffes to Serve in this present General Assembly for the County of *Northumberland*.

Resolved That Mr *Orlando Jones* and Mr *Thomas Johnson* are duly return'd Burgeffes to Serve in this present General Assembly for the County of *King William*

Resolved That Mr *Henry Harrison* and Mr *Samuel Thompson* are duly Return'd Burgeffes to Serve in this present General Assembly for the County of *Surry*

Resolved That Mr *Edward Goodrich* and Mr *Robert Hall* are duly Returned Burgeffes to Serve in this present General Assembly for the County of *Prince George*.

Resolved That Mr *John Harmanjon* and Mr *Charles ffloyd* are duly return'd Burgeffes to Serve in this present General Assembly for the County of *Northampton*.

Resolved That Mr *James Burwell* and Mr *William Barbar* are duly Return'd Burgeffes to Serve in this present General Assembly for the County of *York*.

Resolved That Mr *John Buckner* and Mr *Thomas Buckner* are duly Returned Burgeffes to Serve in this present General Assembly for y^e County of *Gloucester*.

Resolved That Mr *Joseph Harwood* and Mr *Valentine Minge* are duly Returned Burgeffes to Serve in this present General Assembly for the County of *Charles City*

Resolved That Mr *Arthur Smith* and Mr *Anthony Holliday* are duly Returned Burgeffes to Serve in this present General Assembly for the County of *Ifle of Wight*.

Resolved That Mr *William Cole* and Mr *Cole Diggs* are duly Return'd Burgeffes to Serve in this present General Assembly for the County of *Warwick*

Resolved That Mr *Henry Ashton* and Mr *Daniel McCarty* are duly return'd Burgeffes to Serve in this present General Assembly for the County of *Westmoreland*.

Resolved That Mr *John Hawkins* and Mr *William Young* are duly return'd Burgeffes to Serve in this present General Assembly for the County of *Essex*

Resolved That Mr *Edward Hamerton* and Mr *William Blackburn* are duly returned Burgeffes to Serve in this present General Assembly for the County of *Middlesex*

Resolved

Resolved That Mr *William Bird* and Mr *Gawin Corbin* are duly Returned Burgeffes to Serve in this present General Assembly for the County of *King and Queen*

Resolved That Mr *George Mason* and Mr *George Anderson* are duly return'd Burgeffes to Serve in this present General Assembly for the County of *Stafford*

Resolved That Mr *George Marable* and Mr *William Broadnax* are duly Returned Burgeffes to Serve in this present General Assembly for y^e County of *James City*.

Resolved That Mr *Tully Robinson* and Mr *Richard Drumond* are duly return'd Burgeffes to Serve in this present General Assembly for the County of *Accomack*.

Resolved That Mr *John Clayton* is duly return'd a Burgefs to Serve in this present General Assembly for *James Town*.

Ordered That the Consideration of that part of the Report of the Said Committee made upon the Return of the Writt for Electing Burgeffes to Serve in this present General Assembly for the County of *Norfolk* be Referr'd til *Wednesday* next.

Mr *Corbin* also Reported from the Committee of Elections and Priviledges the Matter as it appeared to them touching the Election for the College of *William and Mary* and the Resolution of the Committee thereupon, and he Read the Report in his place, and afterwards Delivered the Same in at the Table where the Same was again Read and is as follows *Vizt*.

Resolved That the Return of the Writt for Election of a Burgefs for the College of *William and Mary* is made according to Law, But for as much as upon Examining into the former Returns of those Writts We find that the Return of the Writts made the Eighth day of *September 1710* and y^e Fifteenth day of *September 1712* by *James Blair* President and *Arthur Blackamore* Master of the Gramer School which are in these Words. We humbly Certify that for want of a Sufficient number of Masters and for want of the College being transferred by the Trustees to the President and Masters that they may Act as a body Pollitick according to the Charter We are of Opinion the Said Election cannot be made at this time And it not appearing to this Committee that the Said College has any better Right to elect a Burgefs to Serve in this present Assembly than formerly, It is therefore the Opinion of this Committee that Mr *Peter Beverley* who is Returned a Burgefs to Serve in this present General Assembly for the Said College hath not any Right to Sit in this Assembly as a Member thereof.

And a Debate arising upon Consideration of the Said Report.

A Motion was made and the Question put. That Mr *Peter Beverley* withdraw during the debate.

Resolved in the Affirmative.

And he withdrew accordingly

Then another Motion was made and agreed to by the House *Vizt*.

That the President and Masters of the College of *William and Mary* be heard by their Council touching their Right of Electing a Burgefs for y^e Said College

Ordered That they be heard at the Barr of this House on *Tuesday* next.

Ordered That the Said President and Masters have Notice thereof by the Clerk of this House.

And a Motion being made and the Question being put. That Mr *Beverly* be Admitted to his place in the House till the Right of his Election be determined

It passed in the Negative.

Several Publick Claims from the County of *Surry* were presented to the House and Referred to the Consideration of the Committee for Publick Claims to Examine the Matter thereof and Report the Same with their Opinion thereon to the House.

Several Propositions and Grievances from the County of *Surry* were Read and Referr'd to the Consideration of the Committee of Propositions and Grievances to Report their Opinion thereupon.

Mr *Corbin* Reported from the Committee of Elections and Priviledges the Matter as it appeared to them touching the Complaint against *John Bolling* of the County of *Henrico* and the Resolutions of the Committee thereupon, which he Read in his place
and

and afterwards Delivered in at the Table where the Same were Read and agreed unto by the House and are as follow.

Resolved That the Said *John Bolling* is Guilty of a Breach of the Priviledge of this House

Resolved That the Said *John Bolling* be Sent for in Custody of the Messinger of this House to answer for his Said Offence at the Bar of this House.

Ordered That Mr *Speaker* do accordingly issue his Warrant upon the Said Resolution. Upon a Motion made.

Ordered That Mr *Francis Epes* and Mr *John Willcox* Mariner be Summoned as Evidences to prove the Said Offence and that Mr *Speaker* do issue his Warrant accordingly.

And then the House Adjourned till *Monday* morning Ten a Clock.

Monday August the 8th 1715.

MR *Corbin* from the Committee of Elections and Priviledges Reported That the Said Committee had taken into Consideration the Petition of Mr *William Harwood* Complaining of the undue Election of *William Cole* and *Cole Diggs* Gentlemen Returned Burgeses to Serve in this Assembly for the County of *Warwick* And that the Said Committee had thereupon come to a Resolution which he Read in his place and then Delivered in at the Table where the Same was again Read and agreed to by the House and is as followeth *Vizt.*

Resolved That Mr *William Cole* and Mr *Cole Diggs* are not duly Elected Burgeses to Serve in this present General Assembly

Ordered That Mr *Corbin* Mr *Conway* Mr *Griffin* Mr *Johnson* and Mr *Harrison* wait upon the Governor and Desire him to issue out a new writt for y^e Election of Burgeses to Serve in this Assembly for the County of *Warwick* in the room of Mr *William Cole* and Mr *Cole Diggs* who are not duly elected Burgeses for the Said County

Mr *Treasurer* [according to Order] Laid his Accounts of the Revenue before the House.

Ordered That the Said Accounts do Lye upon the Table for the perusal of the Members.

The House being Informed that the Sheriff of *Norfolk* attended and desired to be Admitted to Amend his Return on the Writt for the Electing Burgeses for the Said County.

Ordered That the Said Sheriff be brought into the House and that he be Directed to amend his Said Return, who being brought in accordingly Amended his Return and then he withdrew

The Order of the Day being Read for the House to take into Consideration the Governors Speech

The House Resolved it Self into a Committee of the whole House to Consider of the Said Speech, and after Some time Spent therein Mr *Speaker* Resumed the Chair and Mr *Clayton* Reported from the Committee that they had come to a Resolution which they had directed him to Report to the House which he Read in his Place and then Delivered in at the Table where the Same was Read and agreed to and is as followeth *Vizt.*

Resolved That an Humble Addrefs be presented to the Governor to return him the thanks of this House for the favour of his Speech and that he would be pleased to lay before this House a Scheme how the Militia of this Country may be Rendered more useful. And that his Honor would lay before this House what Applications the Commissioners from *South Carolina* have made to him, and also what Treaty he hath entered into with the Said Commissioners, and what Supplis may be required to Enable him to Comply with that Treaty. And also that he would be pleased to Excuse this House from

from the Consideration of that part of his Speech relating to the Revenue until his Majestys pleasure be known in Answer to the Address of the Council and Burgeesses of the last Assembly to his Majesty on that Subject. And to return the particular thanks of this House to his Honour for Acquainting them with the State of the Matters Recommended in his Speech. And that as Soon as he Shall please to lay before this House the Scheme of the Militia the House will proceed to a due Consideration thereof

Ordered That the Committee of Propositions and Grievances do prepare and bring in an Address upon the Said Resolution.

Andrew Elmes Edward Dyer Thomas ffancis and George Rimington on their Petition are Admitted Doorkeepers to the House.

Several Propositions and Grievances from the Countys of *James City* and *Richmond* were Read and Referr'd to the Consideration of the Committee of Propositions and Grievances to Report their Opinion thereon.

A Petition of *Sarah and Elizabeth ffenwick* the Wives of *Robert and John Fenwick* of *South Carolina* Referr'd by the Council to y^e Consideration of this House, was Read, Setting forth, That by the great Calamitys lately and Still Attending *South Carolina* and its Inhabitants the Petitioners and Several other Persons with the Burthenfome and on Such Occasions useles part of their ffamilys have in great fear and confusion deserted that Colony Seeking Some place where they may probably hope for protection from the Rage of Hunger and the merciless Indians until it shall please the Almighty to blow over the Impending Storm And that in the Distress the Petitioners with thirty one Negros [most of them Children] in their two ffamilys did lately Arrive at *Hampton* in this Colony where they were Informed that a Duty of ffive pounds and Six pence is to be paid for every Negro Imported here, But in Regard the Petitioners have not either of them any Intention to Settle in this Colony or to Dispose by Sale any of the Said Negros here but to return with their ffamilys to *South Carolina* So Soon as it can be thought Safe and Convenient. And praying that the Receiver of the Said Dutys may be Ordered not to Demand from either of them any Duty for the Importation of any the Said Thirty one Slaves until Such time as it Shall appear that the Petitioner or one of them do Design to Continue and Settle in this Colony or by Sale to Dispose of any the Said Slaves.

Resolved and accordingly *Ordered*

That no Duty be Demanded from either of the Petitioners for the Importation of any the Said Thirty one Negroes or Slaves until Such time as it shall appear that the Petitioners or one of them do Design to Continue and Settle in this Colony or by Sale to Dispose of any the Said Slaves.

And then the House Adjourned till to morrow morning Ten a Clock.

Tuesday August the 9th 1715

A PROPOSITION and Grievance from the County of *Charles City* was Read and Referr'd to the Consideration of the Committee of Propositions and Grievances to Report their Opinion thereon.

A Complaint being made to the House that Some of the Justices of *Charles City* County Court at a Court held in that County for Receiving and Certifying Propositions and Grievances Refused to Receive and cause to be Certified the Propositions and Grievances of Some of the Inhabitants of the Said County.

Ordered That Such of the Justices of the Court of the County of *Charles City* (to witt) *Mr Drury Stith Mr Lewellin Epes* and *Mr James Manders* who Refused to Receive and cause to be Certified the Said Propositions and Grievances be Sent for in Custody of the Messinger of this House. And that *Mr Speaker* issue his Warrant accordingly.

A Petition of the Justices of the Peace for *James City* County Referr'd by the Council to the Consideration of this House was Read and Referr'd to the Consideration of the Committee of Propositions and Grievances to Report their Opinion thereon.

Mr

Mr *Clayton* Reported from the Committee who were appointed to Draw up an Address to be presented to the Governor That they had drawn up an Address accordingly which they had directed him to Report to the House, and he Read the Same in his Place and Afterwards delivered it in at the Table where the Same was Read and agreed unto by the House.

Resolved That the Said Address be presented to the Governor by the whole House.

Ordered That the Committee that prepared the Address do Humbly know the Governors Pleasure when he will be Attended by this House.

Mr *Clayton* from the Committee of Propositions and Grievances Reported That the Said Committee had taken into Consideration Some of the Matters to them Referr'd and had agreed in a Report thereupon which he Read in his Place and then Delivered in at the Table where the Same being again Read. The House proceeded to the immediate Consideration of the Report.

And upon Consideration of the Report of the Said Committee made upon Inspecting the Journal of the last Session of Assembly.

The House agreed to the Report of the Committee *Vizt.*

That there is nothing therein necessary to be taken in to the Consideration of this Session.

And upon Consideration of the Report of the Said Committee made upon the Petition of certain *Nottoway* Indians Praying to be Relieved as is Set forth in their Petition And the Said Committee having likewise Reported that it appears to them that their present Condition is very deplorable.

The House agreed to the Report of the Committee *Vizt.*

Resolved That the Said Petition be Referr'd to the Honourable the Lieu^t. Governor And that he would be pleased to give them Relief therein.

Ordered That Mr *Randolph* Mr *Harrison* Mr *Harwood* Mr *Minge* and Mr *Hall* Do wait upon the Governor with the Said Petition and Acquaint him with the Resolve of this House thereupon

Ordered That Mr *Goodrich* Mr *Lear* Mr *Griffin* Mr *Burwell* and Mr *Ball* do carry the Resolve of this House of yesterday made upon the Petition of *Sarah* and *Elizabeth Jfenwick* to the Council and Desire their Concurrence thereunto.

A Petition of *Edward Rippling* was presented to the House and Read Praying that he may have Levyed for him four hundred and Eighty pounds of tobacco Allowed him in the last Book of Claims but omitted to be Levyed

Ordered That the Consideration of the Said Petition be Referr'd to the Committee for Publick Claims to Examine the Matter thereof and Report the Same with their Opinion thereon to the House

Several Publick Claims from the County of *James City* were presented to the House and Referr'd to the Consideration of the Committee for Publick Claims to Examine the Matter thereof and Report the Same with their Opinion thereon to the House.

A Petition of *Brian Penne* was presented to the House and Read touching Double Certificates issued for taking up his Runaway Negros.

Ordered That the Said Petition be Rejected.

A Motion being made for a further day for the President and Masters of the College of *William* and *Mary* to be heard by their Council at the Barr of this House touching their Right of Electing a Burgess to Serve in this Assembly

Ordered That they be heard by their Council at the Bar of the House on *Thursday* next.

The House being Informed that the Messinger had Pursuant to Mr *Speakers* Warrant taken into his Custody *Richard Littlepage* and *Alexander Walker* two of the Justices of *New Kent* County Court for Refusing to Receive and Certify the Propositions and Grievances of the People and Inhabitants of the Said County.

They were called to the Barr of the House and Examined touching that Matter.

And then they withdrew.

And

And a Motion being made And the Question being put

That the Said *Richard Littlepage* and *Alexander Walker* make an Humble Acknowledgment of their Error [at the Barr of this House] in Refusing to Receive and causing to be Certified the Propositions and Grievances of the People and Inhabitants of *New Kent* County as the Law directs. And then Receive a Repremand from Mr *Speaker*

It was Resolved in the Affirmative

Then they were again called to the Bar and acquainted with y^e Resolve of the House.

Mr *Walker* accordingly made an Humble Acknowledgment of his Error and Received a Repremand from Mr *Speaker* And then withdrew.

Ordered That the Said *Alexander Walker* be Discharged out of Custody paying fees.

And Mr *Littlepage* at the Bar refusing to make Such Acknowledgment.

Ordered That he be Continued in Custody of the Messinger.

And then the House Adjourned till to morrow morning Ten a Clock

To the Hon^{ble} *Alexander Spotswood* his Maj^{ty}s Lt. Governor of Virginia

The Humble Address of the House of Burgeesses.

May it Please you Sir.

We think our Selves Obliged to return your Honour the thanks of this House for the favor of your Speech in which you are pleased to expresse So great care and concern for the Safety of this Colony and do Assure your Honour We are heartily desirous to Joyn our Endeavours in giving the best Advice and Assistance We can for the better Security and Defence of our Country.

It would be very agreeable to this House to have the Militia of this Colony under a better Regulation, and We shall Esteem it a particular favour if your Honour will be pleased to Propose a Method by which it may be Rendred more useful.

We are Deeply touched with a Sence of the Miserys with which our fellow Subjects of *South Carolina* are oppressed and are willing to Contribute towards the Relief of that Province So far as the Circumstances of our Country under its present Misfortunes can admitt. And that the Succour We shall Afford may be given in the most acceptable manner, We entreat your Honour to Acquaint this House what Application the Commissioners from *South Carolina* have made, what Treaty your Honour did enter into on that Occasion, And what Supplys may be required to enable your Honour to perform the Same.

We cannot but think it a great Misfortune to this Colony that the fund given for the Support of this Government Should prove Deficient at a time when there are so pressing Occasions for money and y^e People So unable to Afford any Supplys. And We Humbly hope by your Honours favourable Representation of the Address from the Council and Burgeesses of the last Assembly To our Sovereign Lord the King his Majesty will be graciously pleased to Supply the Deficiency of that fund out of his Revenue of Quit Rents.

We do assure your Honour Since you have thought fit to Assemble us at this time for our Advice and Assistance on those Extraordinary Occasions, We shall make it our Endeavours to perform the Duty incumbent on us, without regard to any other End than the Glory of God the Service of our King and the welfare of our Country.

Wednesday August 10th 1715.

Mr *Clayton* Acquainted the House that the Governor had been waited on yesterday to know his Pleasure when he would be attended by this House, and that his Honour had been pleased to appoint this Morning Ten a Clock in the Council Chamber.

Mr *Randolph* Reported that the Governor had been waited upon with the Petition of the *Nottaway* Indians, and acquainted with the Resolve of the House upon that Petition. And that his Honour was pleased to Say That the Petition was of an Extraordinary nature and that he would send his Answer to this House in Writing.

Mr

Mr *Speaker* Reported that he with the House had this day Attended the Governor and presented to him their Address To which his Honour was pleased to give this Answer.

Mr Speaker and Gentlemen of the House of Burgeffes

I shall lay before you the Several Matters Desired in your Address: but I must tell you that Since you have Rejected that Grievance of the Government which I called you to Redress I have nothing now to Recommend to you more Advantageous to your Country than Dispatch; for I consider that under the present Misfortune of Poverty which you tell me of, your House Sitts at nigh fourscore pounds a day charge to this Colony.

A Written Message from the Governor by Mr *Robertson* was Read and is as followeth *Vizt.*

Mr Speaker and Gentlemen of the House of Burgeffes

In answer to a Verbal Message, which I last night Received from you, by one of your Committee Setting forth that your House having had under Consideration a Petition of the *Nattoway* Indians, has now Sent it and Referred it to me, with your desire that I would be pleased to give Relief therein, I must Inform you that it is not Solely in me, no more than in your House, to Repeal or Dispence with Laws [which is the plain Purport of their Grievance] Nor am I of my Self to make Void Solemn Treatys when once they have been approved by our Sovereign.

If their Representative, whom it Seems they have in your House, can make appear to me that they have been wronged by anyone in this Government, I shall take care they be Righted as far as my Authority and the Laws will Allow of. Nor shall I deny them, upon Account of this Misbehaviour of theirs in Applying to your House, the Continuance of the Same Protection which they ought ever to have had

August the 10th 1715

A: Spotswood

Ordered That the Said Message do Lye upon the Table.

Mr *Clayton* from the Committee of Propositions and Grievances Reported that the Said Committee had taken into Consideration Several of the Matters to them Referr'd and had come to a Resolution thereupon which they had Directed him to Report to the House which he Read in his place and afterwards Delivered in at the Table where y^e Same being Read. The House proceeded to the immediate Consideration thereof. And the Report was again Read and is as followeth *Vizt*

The Second Proposition from the County of *King* and *Queen* being Read Praying that all Clauses in the Law Entituled *an Act for preventing frauds in Tobacco Payments and for the better improving the Staple of tobacco* [except what Relates to the Publick Credit] be Repealed Or otherwise that it may be Amended according to the Said Proposition.

The Grievance from the County of *Richmond* being Read Praying the late tobacco Law may be Repealed or Amended according to their Proposition

The Grievance from the County of *Nansemond* being Read Praying that Crop Tobacco may be Shipped as usual.

That part of the Grievance from the County of *New Kent* Dated *July* the 23^d 1715 being Read Praying that Trade and freight Tobacco may be Exempted out of the late tobacco Law.

The other Grievance from the County of *New Kent* being Read Praying that Trade and Freight Tobacco may be exempted out of the late Tobacco Law.

That part of the Grievance from the County of *Surry* being Read Praying that the Law Entituled *an Act for preventing frauds in Tobacco payments &c* may be Repealed.

The other Grievance from the County of *Surry* being Read Praying that the Law Entituled *an Act for preventing frauds in tobacco payments &c* may be Repealed

That part of the Grievance from the County of *Prince George* being Read Praying that the Law Entituled *an Act for preventing frauds in Tobacco payments &c* may be Repealed.

That part of the Grievance from the County of *James City* being Read Praying to be Relieved against the Law Entituled *an Act for preventing frauds in Tobacco payments &c*

That

That part of the Grievance from the County of *Henrico* being Read Praying the late Law Entituled *an Act for preventing frauds in Tobacco payments &c* may be Repealed.

That part of the Grievance from the County of *King William* being Read Praying that all Clauses in the Law Entituled *an Act for preventing frauds in tobacco payments &c* may be Repeald'.

That part of the Grievance from the County of *Gloucester* Complaining of the hardships in the aforefaid Law being Read.

The Grievance from the County of *Effex* being Read Praying the aforefaid Law may be Repealed.

The Grievance from the County of *Stafford* being Read Praying that the Law Entituled *an Act for preventing frauds in tobacco payments &c* may be Repealed

The Grievance from the County of *Lancaster* being Read Praying that the afore^d Law may be Repealed.

The Grievance from the County of *Northumberland* being Read Praying the aforefaid Law may be Repealed or otherwise that this Assembly would take Such Measures therein as to them Shall Seem meet.

The Grievance from the County of *Westmoreland* being Read Praying the aforefaid Law may be Repealed.

That part of the Grievance and Proposition from the County of *Middlesex* being Read Praying that Several Amendments to the afore^d Law may be made if it Continues and that another Store house may be appointed &c

That part of the Grievance from the County of *Warwick* being Read Complaining of great hardships imposed on them by the aforefaid Law.

That part of the Grievance from the County of *Isle of Wight* being Read Praying that the aforefaid Law may be Repealed.

That part of the Grievance from the County of *Princes Ann* being Read Praying that the aforefaid Law may be Repealed and another made to Redress their Grievance.

That part of the Grievance from the County of *Norfolk* being Read Praying Amendments may be made in the aforefaid Law according to their Proposition.

That part of the Grievance from the County of *Accomack* being Read Complaining of great hardships imposed on them by the aforefaid Law and praying to be Redressed.

That part of the Grievance from the County of *Northampton* being Read Praying the aforefaid Law may be Repealed or Amended as Shall be agreed on.

The Grievance from the County of *Charles City* being Read relating to the aforefaid Law Proposing that all Clauses of the Said Law [except what relates to the Publick Levys] may be Repealed and Some Amendments to be made according to their Proposition.

The House with an Amendment agreed to the Report of the Committee *Vizt.*

Resolved That the Same ought to be Redressed and that it may be properly done by a Bill to be brought in to Repeal the Act Entituled *an Act for Preventing frauds in Tobacco payments and for the better Improving the Staple of Tobacco.* And also to make Publick Tobacco payments good and convenient.

Ordered That a Bill be brought in upon the Said Resolution.

Ordered That the Committee of Propositions and Grievances do prepare and bring in the Bill.

And then the House Adjourned till to Morrow Morning Ten a Clock.

Thursday August the 11th 1715.

A PROPOSITION from Several of the Inhabitants of this Colony was Read and Referr'd to the Consideration of the Committee of Propositions and Grievances to Report their Opinion thereupon.

A Claim of *John Broadnax* was presented to the House and Referr'd to the Consideration of the Committee for Publick Claims to Examine the Matter thereof and Report the Same with their Opinion thereon to the House.

A Written Message from the Governor by Mr *Robertson* in Relation to the Applications made from *South Carolina*, together with Letters from the Governor and Council of that Province, And the Articles Stipulated between this Government and that of *South Carolina*, and he presented the Same to the House, w^{ch} were Read.

The Written Message from the Governor is as followeth *Vizt.*

Mr Speaker and Gentlemen of the House of Burgeſſes

In Answer to that part of your Address which relates to the Applications made from *South Carolina*, and the Measures taken thereupon.

I send you the Letter from the Governor and Council of that Province Sent by their Commissioners with the Treaty Concluded for their Assistance. The number of men which by the Advice of y^e Council was Judged fit to be furnished from hence is Three hundred, of which there are One hundred and fifty already dispatched, I cannot lay before you an exact Computation of the charge, because the Expence of Provisions depends upon the time the men last embarked shall be in their passage, and the facility or difficulty of Lifting and Transporting those that are yet to be Raised, but I Judge that the whole Expence of Lifting, fitting up platforms for the men, Supplying Some of them with Cloathing, Advance money paid for the encouragement of others, Subsisting them till their Embarkation, furnishing Provisions for their passage, and cleaning and fitting their Arms &c may amount to Thirty Shillings a man or thereabouts.

I Judge it would render the Service much more acceptable to our People, if Provision were made for Such of them as Shall happen to loose their Limbs or be otherwise Disabled: And that those who have or Shall Engage, be exempted from payment of Levys. both for this year and Such further time as your House Shall think fit, with what other privileges you Judge proper for their Encouragement: And if these shall not prove effectual for obtaining the number of men Desired, That power be given for impressing.

And as by the Treaty with *Carolina*, you will Observe that a number of Slaves are to be returned hither to be employed for the benefit of the men engaging in this Service, I Recommend to you to provide that Such Slaves or So many of them as Shall not thereafter be Sold in the Country, be Exempted from the payment of the five pounds per head; And that the Vessels, in which they are imported be also exempted from the payment of Port Dutys and other charges.

August the 10th 1715.

A: Spotswood

Resolved That this House will take the said Message into Consideration on *Saturday Morning* next.

The Order of the Day being Read for the President and Masters of the College of *William and Mary* to be heard by their Council at the Bar of the House touching their Right of Electing a Burgeſſes to Serve in this Assembly.

They were accordingly called in and heard upon that Matter.

And then they withdrew.

Resolved That this House will on *Saturday* next Resume the Consideration of the Report of the Committee of Elections and Privileges touching the President and Masters of the Said College their Right of Electing a Burgeſſes to Serve in this Assembly

Resolved That this House will then also take into their Consideration the Several Matters and Arguments this day Offered at the Barr of this House in maintainance and Defence of the Said Right.

A Proposition from Several of the Inhabitants of this Colony was presented to the House and Read Proposing that a Law be made to Encourage the Teaching the Slaves within this Dominion to Read the Bible and to bring them up in the Christian Religion.

Ordered That the Said Proposition be Rejected.

A Petition of *Richard Buckner* was presented to the House and Read Praying an Allowance for Copys of the Laws and Journals of the last Session of Assembly Delivered to the Governor.

Ordered That the Said Petition be Referr'd to the Consideration of the Committee for Publick Claims to Examine the Matter thereof and Report the Same with their Opinion thereon to the House.

The House proceeded to the Consideration of the Governors written Message of Yesterday relating to the *Nottaway* Indians, and the Same was Read.

Resolved That the Indians mentioned in the Said Message have not any Representative in this House.

And then the House Adjourned till to Morrow Morning Ten a Clock.

Friday August the 12th 1715

THE House being Informed that the Messinger had pursuant to Mr *Speakers* Warrant taken into his Custody *Drury Stith Lewellin Epes* and *James Manders* Three of the Justices of *Charles City* County Court for Refusing to Receive and Certify the Propositions and Grievances of Some of the Inhabitants of the Said County, and y^t they attended at the Door.

They were called in and at the Bar of the House Examined touching that Matter. And then they withdrew.

Ordered That the Said *Drury Stith Lewellin Epes* and *James Manders* be Discharged out of Custody without paying fees.

A Message from the Council by Mr *Robertson*. That the Council have agreed to the Resolve of this House made upon the Petition of *Sarah* and *Elizabeth ffenwick*.

And he presented to the House a Written Message from the Council, which was Read and is as followeth *Vizt*

By the Council

Mr Speaker and Gentlemen of the House of Burgeffes.

The Council taking into Consideration that in the present Calamitys of the Province of *South Carolina*, Several of the Inhabitants may probably remove their ffamilys and Slaves hither; and your House having Judged it reasonable that the Slaves already imported by Mr^s *Sarah* and *Elizabeth ffenwick* Should be Exempted from the Payment of the Duty of ffive pounds and Six pence per head, The Council propose that the Same Exemption be extended to all others coming from that Province under the like Circumstances

August the 12th 1715

The House proceeded to the immediate Consideration of the Said Message and thereupon.

Resolved and accordingly *Ordererly* [*Ordered*]

That all Slaves Imported into this Colony from *South Carolina* during the present Calamitys of that Province be Exempted from the Payment of the Dutys of ffive pounds and Six pence per head unless the Said Slaves after their Importation be exposed to Sale or be Continued and Setled in this Government.

Ordered That Mr *Jenkins* Mr *Broadnax* Mr *Woodbridge* and Mr *Ball* do carry the Said Resolve to the Council and Desire their Concurrence thereunto.

The House being Informed that Mr *Richard Littlepage* and Mr *Thomas Butts* [who were by virtue of Mr *Speakers* Warrant, upon a Complaint made against them as Justices of *New Kent* County Court, taken into Custody for Refusing to Receive and Certify y^e Propositions and Grievances of the People and Inhabitants of that County] have made their Escape out of the Custody of the Messinger.

Upon a Motion made.

Ordered That the Messinger be called to the Bar.

And he was called to the Bar accordingly and Examined concerning the Escape of Mr *Littlepage* and Mr *Butts*.

And then he withdrew.

And being again called to the Bar and further Examined.

Resolved That the Said Messinger is Guilty of a Misdemeanour & Neglect in the Execution of his Office.

Resolved

Resolved That Mr *Littlepage* and Mr *Butts* for making their Escape out of y^e Custody of the Messinger of this House are Guilty of a high Misdemeanour and Contempt of the Authority of this House.

Ordered That Mr *Speaker* issue his Warrant to Pursue and Retake the Said *Richard Littlepage* and *Thomas Butts* and them to bring before this House as well to Answer their Misdemeanour and Contempt as the Complaint made against them for Refusing to Receive and Certify the Propositions and Grievances of the People and Inhabitants of the County of *New Kent*.

A Message from the Governor by Mr *Robertson*.

Mr *Speaker*

I am Commanded by the Governor to Deliver to this House a Written Message from his Honour, with Some Proposals of a new Regulation of the Militia. And he presented the Same to the House.

The Said Message and Proposals were Read. and the Message is as followeth *Vizt.* Mr *Speaker* and *Gentlemen of the House of Burgesses*

According to your Desire in your Address, I now lay before you Some Proposals for making your Militia more useful, in which I have set forth Some of the Inconveniencies under which the People Labour, by the present Constitution; that I may Show you, I am not for abrogating old Laws without giving my Reasons, I shall leave to your Judgment to make Such Additions as you find necessary when these heads come to be framed into a Bill; and if I find any thing further wanting, it may be properly Supplied when the Bill comes before the Council

August the 12th 1715.

A: *Spotswood*

Ordered That the Said Message and Proposals Do Lye upon the Table.

And then the House Adjourned till to morrow morning Ten a Clock

Saturday August the 13th 1715

A COMMISSION from the Governor to Mr *James Shields* to be Messinger to the House was Read.

Mr *Clayton* from the Committee of Propositions and Grievances Reported that the Said Committee had taken into Consideration Several of the Matters to them Referr'd and had come to Several Resolutions thereupon, which they had Directed him to Report to the House which he Read in his Place and then Delivered in at the Table where the Same being again Read. The House proceeded to the immediate Consideration of the Report.

And upon Consideration of the Report of the Said Committee made upon the Proposition from the County of *King* and *Queen* for Ascertainning Secretarys Sheriffs Clerks and Constables fees.

The House agreed to the Report of the Committee *Vizt.*

Resolved That a Bill be prepared and brought in for that Purpose.

Ordered That Mr *Jenkins* Mr *Goodrich* Mr *Boush* Mr *Thomas Buckner* Mr *Randolph* and Mr *Jones* Do prepare and bring in the Bill.

And upon Consideration of the Report of the Said Committee made upon the Proposition from the County of *Prince George* That an Act be made to Disable Naval Officers Agents County Court Clerks and all other persons whatsoever holding any Office of profit in the Government from Voting in any Assembly in this Colony

The House agreed to the Report of the Committee *Vizt.*

Resolved That a Bill for that purpose be prepared and brought in

Ordered That the Committee of Propositions and Grievances do prepare and bring in the Bill.

And upon Consideration of the Report of the Said Committee made upon the Proposition from the County of *Prince George* for preventing Assemblys being Continued or kept on foott more than Three years.

The

The first part of the paper discusses the importance of the study of the history of the United States. It is argued that a knowledge of the past is essential for a full understanding of the present. The author then goes on to discuss the various factors that have shaped the development of the United States, including the role of the government, the influence of the economy, and the impact of the culture. The paper concludes by suggesting that a study of the history of the United States is not only a valuable academic exercise, but also a necessary one for anyone who wishes to understand the world in which we live.

THE HISTORY OF THE UNITED STATES

The history of the United States is a complex and multifaceted one. It is a story of a nation that has grown from a small colony to a global superpower. The history of the United States is a story of the struggle for freedom, the pursuit of the American dream, and the quest for a better life. It is a story of the triumph of the human spirit over adversity. The history of the United States is a story that has inspired millions of people around the world. It is a story that has shaped the course of human history. The history of the United States is a story that is still being written. It is a story that is full of hope and possibility. It is a story that is worth knowing.

The House agreed to the Report of the Committee *Vizt*

Resolved That a Bill be prepared and brought in for that purpose.

Ordered That the Committee of Propositions and Grievances do prepare and bring in the Bill.

And upon Consideration of the Report of the Said Committee made upon the Proposition from the County of *King* and *Queen* for paying the Burgeffes of this Colony for the future in Mony to be Raised by the Imposition Acts the Same appearing to be reasonable.

The House agreed to the Report of the Committee *Vizt*

Resolved That the Consideration thereof be Referr'd until the next Session.

And upon Consideration of the Report of the Said Committee made upon the Proposition from the County of *Northampton* that they may have Liberty to pay their Publick dues in Pork Beef and other Country Commodities.

The House agreed to the Report of the Committee *Vizt*

Resolved That the Said Proposition be Rejected

And upon Consideration of the Report of the Said Committee made upon the Proposition from the County of *New Kent* for a greater Allowance for killing Wolves And that an Allowance be made for killing Squirrells and Crows.

The House agreed to the Report of the Committee *Vizt*.

Resolved That the Said Proposition be Rejected.

And upon Consideration of the Report of the Said Committee made upon the Proposition from the Said County of *New Kent* about persons harbouring poor and impotent Travellers in their Parish without giving the Churchwardens Notice.

The House agreed to the Report of the Committee *Vizt*

Resolved That the Said Proposition be Rejected.

And upon Consideration of the Report of the Said Committee made upon the Proposition from the County of *Middlesex* for Repealing a Law made for Ringing all Hogs within the Said County.

The House agreed to the Report of the Committee *Vizt*.

Resolved That a Bill be prepared and brought in to Repeal the Act Entituled *an Act to prevent Hogs going at large in the County of Middlesex*.

Ordered That the Committee of Propositions and Grievances do prepare and bring in the Bill.

And upon Consideration of the Report of the Said Committee made upon the Proposition from the County of *King* and *Queen* that *Virginia* built Veffels Owned by the Inhabitants of this Colony be free from all Dutys.

The House agreed to the Report of the Committee *Vizt*.

Resolved That the Laws now in force give Sufficient Encouragement for the Same therefore the Said Proposition be Rejected.

And upon consideration of the Report of the Said Committee made upon the Proposition from the County of *King* and *Queen* for Repealing an Act Laying an Impofition upon Liquors and Slaves. Or Lessening the Duty upon Slaves.

The House agreed to the Report of the Committee *Vizt*.

Resolved That the Said Proposition be Rejected.

And upon Consideration of the Report of the Said Committee made upon the Proposition from the County of *King* and *Queen* for Repealing the Law for Registering Births and Burials &c.

The House agreed to the Report of the Committee *Vizt*.

Resolved That the Said Proposition be Rejected.

And upon Consideration of the Report of the Said Committee made upon the Proposition from the County of *Norfolk* for Paying their Publick Dues in Plank Tarr Shingles and other Country Commodities at a Price to be Sett thereon.

The House agreed to the Report of the Committee *Vizt*.

Resolved That the Said Proposition be Rejected.

And

And upon Consideration of the Report of the Said Committee made upon the Proposition from the County of *Accomack* for Justices of the Peace to have Power of Determining Suits under the Value of 500^{li} of tobacco or fifty Shillings.

The House agreed to the Report of the Committee *Vizt.*

Resolved That the Said Proposition be Rejected

And upon Consideration of the Report of the Said Committee made upon the Proposition from the County of *Accomack* for making a Law to Impower the freeholders of the Parish of *Accomack* to choose a Vestry for the Said Parish and that they may have Liberty to Elect a new Vestry once in every Seven years.

After a Debate the Question was put That the Report of the Committee be agreed to.

Resolved in the Affirmative and thereupon.

Resolved That the Said Proposition be Rejected

And upon Consideration of the Report of the Said Committee made upon the Proposition from the County of *Accomack* The Liberty may be given their Inhabitants to pay their Publick Dues in Pork Beef Wheat and other Country Commodities

The House agreed to the Report of the Committee *Vizt.*

Resolved That the Said Proposition be Rejected

And upon Consideration of the Report of the Said Committee made upon the Proposition from the County of *Isle of Wight* for passing Silver Coin according to the late Queens Proclamation.

The House agreed to the Report of the Committee *Vizt.*

Resolved That the Silver Coin is well Settled by Law therefore the Said Proposition is Rejected

And upon Consideration of the Report of the Said Committee made upon the Proposition from the County of *Isle of Wight* That Liberty may be given for Paying all Publick Dues in Tarr Corn and other Country Commodities.

The House agreed to the Report of the Committee *Vizt.*

Resolved That the Said Proposition be Rejected.

And upon Consideration of the Report of the Said Committee made upon the Proposition from the County of *Surry* That no Imposition be Laid on any Imported Goods.

The House agreed to the Report of the Committee *Vizt.*

Resolved That the Said Proposition be Rejected

The Orders of the Day being Read

The House Resumed the Consideration of the Report of the Committee of Elections and Privileges touching the President and Masters of the College of *William and Mary* their Right of Electing a Burgefs to Serve in this Assembly

After a Debate and Some time Spent therein. The Question was put That the Report of the Committee be agreed to.

It was Resolved in the Affirmative. And thereupon.

Resolved That Mr *Peter Beverley* who is Returned a Burgefs to Serve in this present General Assembly for the Said College hath not any Right to Sit in this Assembly as a Member thereof

Ordered That Mr *Marable* be Chairman of the Committee for Publick Claims in the Room of the Said Mr *Beverly*.

Ordered That Mr *Minge* be Added to the Said Committee.

The House proceeded to the Consideration of the Governors written Message of the 11th Instant relating to the Applications made from *South Carolina*, and the Measures taken thereupon. The Message was Read, with the Treaty Concluded for the Assistance of that Province.

And a Debate arising thereupon, and after Some time Spent therein.

A Motion was made, That the Debate be Adjourned

Resolved That the Debate be Adjourned till *Monday* next

Ordered That it be an Instruction to the Committee that is appointed to prepare and bring in a Bill to Repeal the Act Entituled *an Act for preventing frauds in Tobacco Payments*

Payments and for the better improving the Staple of Tobacco and also to make Publick Tobacco Payments good and convenient. That a Clause be Added in the Said Bill for Repealing all Laws and Clauses of Laws relating to the Said Act.

And then the House adjourned till *Monday* morning Ten a Clock.

Monday August the 15th 1715

THE Warrant issued for the Pursuing and Retaking Mr *Richard Littlepage* and Mr *Thomas Butts* was presented to the House and the Return thereof was Read in these Words *Viz*

In pursuance to the above Warrant I went to the House of the aforementioned Mr *Richard Littlepage*, and also Sent for the above named *Thomas Butts*, and required them both personally to give Obedience to the above Warrant by Surrendering themselves into my Custody, but they both Refused, Saying they knew no Authority the House of Burgeesses had to Send for them, nor would obey any of their Warrants, on Account of the above Charge.

Resolved That at Humble Addresse be presented to the Governor that he would be pleased to give Such Orders and Directions as his Honour Shall think proper and necessary for the bringing the Said *Littlepage* and *Butts* before this House to Answer for their Repeated Contempts of the Authority of this House

Ordered That the Committee of Elections and Priviledges do prepare and bring in the Addresse.

A Petition of *Charles Kimball* Referr'd by the Council to the Consideration of this House was Read and Referr'd to the Consideration of the Committee for Publick Claims to Examine the Matter thereof and Report the Same with their Opinion thereon to the House.

A Petition of *Miles Cary* was [by Leave of the House] p^resented Read and Referr'd to the Consideration of the Committee for Publick Claims to Examine the Matter thereof and Report the Same with their Opinion thereon to the House.

Mr *Clayton* [according to Order] presented to the House a Bill for Repealing an Act Entituled *an Act for preventing frauds in Tobacco Payments and for the better Improving the Staple of tobacco* And an Act Entituled *an Act to Continue the Act for p^reventing fraud in Tobacco Payments and for the better improving the Staple of tobacco* And one Act Entituled *an Act to prevent the Malitious burning or Destroying the Publick Storehouses of tobacco Agents* and two Clauses in an Act Entituled *an Act for the Relief of Persons who by reason of the Drought of last Summer have made Small quantitys of Corn and tobacco and who for want of Conveniency of Shiping have great quantitys of old tobacco by them and for Punishing Persons who Shall carry any Hoghead of tobacco not Stamped out of this Colony And also to make Publick tobacco good and convenient.* And the Same was Received and Read the first time and Ordered to be Read a Second time.

The House [according to Order] Resumed the Debate upon the Governors written Message of the 11th Instant and thereupon

Resolved That this House will endeavour to Raise mony Sufficient to Enable the Governor to perform the Treaty he hath Concluded for the Assistance of *South Carolina*

Ordered That it be Referr'd to the Committee of Propositions and Grievances to Consider of ways and means for the Raising Such Mony, and that they Report their proceedings to the House

And a Debate Arising. And the Question being put. That Provision be made for Such men [already Lifted or hereafter to be Lifted in the Service of *South Carolina*] as Shall happen to Loose their Limbs or be otherwise Disabled in the Said Service.

It passed in the Negative.

Resolved That those persons who have or Shall Engage in the Service of *South Carolina*, be Exempted from payment of Levys for this present year.

Resolved

Resolved That So much as the Levys of Such persons Shall Amount to be Levied on the remaining Tithables of that County and Parish where their Several and respective Lifts of Tithables were given in; And that Such County and Parish upon Application to the next Assembly be Reimbursed the Same out of the Publick Levy.

Resolved That Such and So many Slaves as Shall be Imported hither for the benefit of the men Engaging in the Service of *South Carolina* and not thereafter Sold in this Country be Exempted from the payment of the Duty of five pounds P head, And that the Vessels in which they Shall be Imported be also Exempted from the payment of Port Dutys and other Charges.

Ordered That a Bill be brought in upon the Said Resolutions.

Ordered That the Committee of Propositions and Grievances do prepare and bring in the Bill.

A Petition of the Justices of the Court of the County of *King William* was [by Leave of the House] presented and Read Praying that this House would Humbly Address his Majesty in behalf of Mr *John Fox* now under Close Confinement for a Debt Due to y^e Crown for the Customs of Tobacco.

Also a Petition of the Justices of the Court of the County of *New Kent* was presented to the House was Read to the Same purport.

Ordered That the Said Petitions be Rejected.

A Petition of *Robert Beverley* was presented to the House and Read Complaining of an undue Election for *James Town* in the County of *James City*.

Ordered That the Consideration of the Said Petition be Referr'd to the Committee of Elections and Priviledges and that they do Examine the Matter thereof And Report the Same with their Opinion thereon to the House.

And then the House Adjourned till to Morrow Morning Ten a Clock

Tuesday August the 16th 1715.

A CLAIM of the present Sheriff and a Claim of the late Sheriff of *York* and Several Claims from the County of *Nansemond* were [by Leave] presented to the House and Referr'd to the Consideration of the Committee for Publick Claims to Examine the Matter thereof and Report the Same with their Opinion therein to the House.

Mr *Corbin* Reported from the Committee appointed to prepare and draw up an Address to the Governor that they had prepared an Address accordingly which they had directed him to Report to the House which he Read in his Place and then delivered in at the Table where the Same was again Read and with Some Amendments agreed unto by the House and is as followeth *Vizt.*

To the Hon^{ble}: Alex^r: Spotswood his Maj^{ty}: L^y: Governor of Virginia.

The Humble Address of the House of Burgeffs:

May it Please your Honour.

We his Majestys most Dutiful and Loyal Subjects the Burgeffes Assembled Do Humbly beg Leave to Represent and Lay before your Honour That *Richard Littlepage* and *Thomas Butts* Gent were by Warrant from the Speaker of this House of Burgeffes taken into Custody for Misdemeanour by them Committed and So being in Custody in Contempt of the Authority of this House have made their Escape; Whereupon another Warrant being by Order of this House issued to the Messinger to Pursue and Retake them the Said *Richard Littlepage* and *Thomas Butts*, The Said Messinger made Return of the last mentioned Warrant (That he had been with Mr *Richard Littlepage* and Mr *Thomas Butts* and required them both personally to give Obedience to y^e Said last mentioned Warrant by Surrendering themselves into his Custody, but they both refused Saying they knew no Authority the House of Burgeffes had to Send for them nor would obey any of their Warrants on Account of the above Charge] And the Said Messinger:

for

for want of force Sufficient to put the Said Warrant in Execution not being able to perform his Office and Duty therein, We trusting your Honour will Support and Maintain this House in their just Rights and Priviledges, Humbly pray you will be pleased to give Such Orders and Directions for bringing the Said *Richard Littlepage* and *Thomas Butts* to Answer their Repeated Contempts and Misdemeanours before this House As to your Honour will Seem proper

Ordered That the Said Address be fairly transcribed and Signed by Mr *Speaker*.

Ordered That the Committee that prepared the Address together with the Committee for Publick Claims do present the Same to the Governor.

Mr *Corbin* from the Committee of Elections and Priviledges Reported That the Said Committee had taken into Consideration the Return of the Writt for Election of Burgeses for the County of *Warwick* and had come to a Resolution thereupon which the Committee had Directed him to Report to the House which he Read in his Place and afterwards Delivered in at the Table where the Same was again Read and agreed to by the House and is as followeth *Vizt*.

Resolved That Mr *William Cole* and Mr *Cole Diggs* are duly Returned Burgeses to Serve in this present General Assembly for the Said County of *Warwick*.

Mr *Corbin* also Reported from the Committee of Elections and Priviledges that the Said Committee had taken into Consideration the Petition of Mr *Robert Beverley* Complainig of the undue Election of *John Clayton Esq^r* Returned a Burges to Serve in this present General Assembly for *James City* And that the Said Committee had come to a Resolution thereupon which he Read in his Place and then delivered in at the Table where the Same was again Read and agreed to by the House and is as followeth *Vizt*.

Resolved That *John Clayton Esq^r* is [according to Law] Duly Elected a Burges to Serve in this present General Assembly for *James City*.

Ordered That Mr *Armistead* Mr *Bird* Mr *Diggs* Mr *Hall* Mr *Lear* Mr *Anderson* Mr *Presly* Mr *Minge* Mr *Thomas Buckner* Mr *Marable* Mr *Broadnax* and Mr *Young* do wait upon the Governor and Desire his Honours Assent to the Resolves of this House made upon the Petition of *Sarah* and *Elizabeth ffenwick*.

And then the House Adjourned till to Morrow Morning Ten a Clock

Wednesday August 17th 1715

A BILL for Repealing an Act Entituled *an Act for preventing frauds in Tobacco payments and for the better improving the Staple of tobacco* And an Act Entituled *an Act to Continue the Act for preventing frauds in tobacco payments and for the better improving the Staple of tobacco* And one Act Entituled *an Act to prevent the Malitious burning or destroying the Publick Storehouses of tobacco Agents* And two Clauses in an Act Entituled *an Act for the Relief of Persons who by reason of the Drought of last Summer have made Small quantitys of Corn and tobacco and who for want of Conveniency of Shiping have great quantitys of old tobacco by them* And for punishing persons who Shall carry any hoghead of Tobacco not stamped out of this Colony And also to make Publick Tobacco good and convenient was Read a Second time and Committed to the Committee that prepared it.

Mr *Clayton* Reported from the Committee to whom it was Referred to Consider of ways and means for Raifing mony Sufficient to Enable the Governor to perform the Treaty he hath Concluded for y^e Assistance of *South Carolina*, That the Said Committee had Considered thereof and had come to a Resolution thereupon which they had directed him to Report to the House which he Read in his Place and then Delivered in at the Table where the Same being again Read The House agreed to the Report of the Committee *Vizt*.

Resolved That it may be most properly done by a Duty of One Shilling Current mony to be Laid upon every hoghead of Tobacco Exported hence from and after laying the Same until the Fourth of *October* in the year 1716.

Ordered

Ordered That it be an Instruction to the Committee to whom the Bill for Repealing the Act Entituled an Act for preventing frauds in tobacco payments and for the better improving the Staple of tobacco And an Act Entituled an Act to Continue the Act for preventing frauds in tobacco payments and for the better improving the Staple of tobacco And one Act Entituled an Act to prevent the Malitious burning or Destroying the Publick Storehouses of tobacco Agents And two Clauses in an Act Entituled an Act for the Relief of persons who by reason of the Drought of last Summer have made Small quantitys of Corn and Tobacco and who for want of Conveniency of Shipping have great quantitys of old Tobacco by them and for Punishing Persons who Shall carry any hogthead of tobacco not Stamped out of this Colony And also to make Publick Tobacco good and convenient, is Committed, that they have power to Receive a Clause for Raising mony Sufficient to Enable the Governor to perform the treaty he hath Concluded for the Assistance of South Carolina.

Mr *Corbin* acquainted the House that the Governor had been waited upon with the Address of this House of yesterday relating to the repeated Contempts of *Richard Littlepage* and *Thomas Butts* to which his Honor was pleased to give this Answer.

My concern for the Honour of the House of Burgeesses Shall always be equal to theirs for the Honour of their Country, and the Executive power Shall Vindicate the Representatives of y^e People Conformable to the Support they agree to afford it.

Resolved That the Governor be further Addressed. That he will be pleased to give Such immediate Orders and Directions as his Honour shall Judge most Effectual for the Speedy bringing the Said *Richard Littlepage* and *Thomas Butts* before this House.

Ordered Than [That] an Address be brought in upon the Said Resolution and y^t the Committee of Elections and Priviledges do prepare and bring in the Address

The House proceeded to the Consideration of the Governors written Message of the 12th Instant relating to the Militia and the Same was Read together with his Honours Proposals for a new Regulation of the Militia and thereupon.

Resolved That there be a new Regulation of the Militia of this Colony.

Ordered That a Bill be brought in upon the Said Resolution and that the Committee of Propositions and Grievances do prepare and bring in the Bill.

Ordered That the Said Message and Proposals be referred to the said Committee.

Ordered That it be an Instruction to the Said Committee that they Inspect all the Laws now in force relating to the Militia.

And then the House Adjourned till to morrow morning Ten a Clock.

Thursday August y^e 18th 1715

MR *Corbin* Reported from the Committee appointed to draw up an Address [upon the Resolution yesterday] to be presented to the Governor that they had drawn up an Address accordingly w^{ch} they had Directed him to report to the House which he Read in his Place and then Delivered in at the Table where the Same was Read and with Some Amendments agreed unto by the House and is as followeth *Vizt.*

To the Honourable Alex Spotswood his Maj^{ty}s Lieu^t. Governor of Virginia.

The Humble Address of the House of Burgeesses

May it Please Yo^r Hono^r.

We his Majeftys most Dutiful and Loyal Subjects the Burgeesses Asssembled being moved with the utmost Concern for the Support of the Rights and Priviledges of that House whereof We are at this time Members Do most Humbly Supplicate your Honour that you will not Refent our Importunity in making this Second Address and Entreating your Honour to Reflect on the Reiterated Contempts and Violation of the Ancient and undeniable Priviledges of our House Committed by *Richard Littlepage* and *Thomas Butts* of *New Kent County* Set forth in our Address to your Honour of the Sixteenth Instant.

'Twas

'Twas your Authority Sir Derived from our Dread Sovereign Lord the King that brought us hither, and your wonted Goodness and Justice gave us hopes that the Same power that Convened us would Skreen us from the Contumacy not only of those two persons but also from the Calumnies and Reviling Expressions of Some other persons of less Account whose Infolence We Conceive had birth from the Impunity of those two Gentlemen.

If our Meritt can Plead no Claime to your Honours favour yet We hope that when your Honour takes into your Consideration how great Encouragement the unpunished Escapes and open Contempts of these, may afford to other Licentious persons, you will Concurr with us in our Sentiments that the freedome and Priviledges of this House are in Danger of being utterly Subverted and that the Rights and Priviledges it has heretofore from its Infancy Enjoyed may be defended to Succeeding Assemblys Whom We pray may have no less Concern, but far greater Opportunity to promote the Honour of this Country, than We have now under its present Pressures of Poverty.

We trusting your Honour will defend and maintain this House in their Ancient Rights and Priviledges Assured to us by your Honour at the Opening this Session, Humbly entreat your Honour will be pleased to give Such immediate Orders and Directions for the Speedy bringing the Said *Richard Littlepage* and *Thomas Butts* before this House to Answer their Said Contempts and Misdemeanours as your Honour Shall Judge most effectual for that Purpose.

Ordered That the Said Address be fairly transcribed and Signed by Mr *Speaker*.

Ordered That the Committee of Elections and Priviledges the Committee of Claims and Seven Members more [to witt] Mr *Cole* Mr *Hall* Mr *Johnson* Mr *Ball* Mr *Broadnax* Mr *Lear* and Mr *Woodbridge* do present the Same to the Governor.

Mr *Clayton* Reported from the Committee to whom the Bill for Repealing the Act Entituled an Act for preventing frauds in tobacco payments and for the better improving the Staple of tobacco And an Act Entituled an Act to Continue the Act for preventing frauds in tobacco payments and for the better Improving y^e Staple of Tobacco And one Act Entituled an Act to prevent the Malitious burning or Destroying the Publick Storehouses of Tobacco Agents and two Clauses of an Act Entituled an Act for the Relief of Persons who by reason of the Drought of last Summer have made Small quantitys of Corn and Tobacco and who for want of Conveniency of Shipping have great quantitys of old Tobacco by them and for Punishing Persons who shall carry any hoghead of Tobacco not Stamped out of this Colony And also to make Publick Tobacco good and convenient was Committed; that they had made Several Amendm^{ts} to the Bill and an Amendment to the Title of the Bill which they had Directed him to Report to the House which he Read in his Place and then Delivered in at the Table where the Same were Read and agreed unto by the House, and another Amendment was made by the House to the Bill.

Ordered That the Bill with the Amendments be Ingrossed.

Mr *Clayton* also Reported from the Committee of Propositions and Grievances That the Said Committee had taken into Consideration a Proposition from the County of *Prince George* and had come to a Resolution thereupon which they had directed him to Report to the House which he Read in his Place and afterwards Delivered in at the Table where the Same was again Read.

The House proceeded to the immediate Consideration of the Said Report.

And upon Consideration of the Report of the Said Committee made upon the Proposition from the County of *Prince George* for Seperating those parts of the Parishes of *Westover* and *Waynoak* lying in the Said County by *James River* and Joyning them to the Parish of *Martin Brandon* and part of *Bristol* Parish in the Said County and for Dividing and making the Said Parishes So Seperated and Joyned two Distinct Parishes.

The House agreed to the Report of the Committee *Vizt*

Resolved That it will be for the conveniency of the People of those parts of the Parishes of *Westover* and *Waynoake* lying on the South Side of *James River* to be united with the Parish of *Martin Brandon* in the Said County of *Prince George* and made one

Distinct

Distinct Parish, And that those parts of the Said Parishes of *Westover* and *Waynoak* lying on the North Side of *James River* be united and made one other Distinct Parish.

Ordered That a Bill be brought in upon the Said Resolution and that Mr *Goodrich* Mr *Hall* Mr *Harwood* and Mr *Minge* do prepare and bring in the Bill.

And then the House Adjourned till to morrow morning Ten a Clock.

Friday August the 19th 1715.

MR *Corbin* Acquainted the House that the Governor had been presented with the Address of this House of yesterday, and that his Honour was pleased to Say he would Send his Answer to the Address in Writing.

An Ingrossed Bill to Repeal certain Acts and Clauses of an Act therein mentioned and for making payments of Publick Tobacco good and convenient and for Laying a Duty upon Tobacco was Read the third time and Some Small Amendments were made by the House to the Bill.

Resolved That the Bill do pass.

Ordered That the Committee of Propositions and Grievances do carry the Bill to the Council and Desire their Concurrence thereunto.

Mr *Goodrich* [according to Order] presented to the House a Bill to Divide those parts of the Parishes of *Westover* and *Waynoake* which Lye on the South Side *James River* from those parts of the Said Parishes which Lye on the North Side the Said River and for Uniting *Westover* and *Waynoak* Parishes on the South Side *James River* to *Martin brandon* Parish in the County of *Prince George* and for making *Charles City* County one entire Parish And y^e Same was Recieved and Read the first time and Ordered to be Read a Second time.

Mr *Blackborn* moving for Leave to go into the Country on his Extraordinary Occasions Leave is accordingly given him.

A Written Message from the Governor by Mr *Robertson* in Answer to the Address of this House of yesterday.

Mr Speaker and Gentlemen of the House of Burgeffes

I am Sorry to find your utmost Concern to be about what you call the Rights and Priviledges of your House, while you Seem to Reserve none for the Distressed Condition of your Neighbours, and testify the greatest Indifference for the Safety and Honour of your Country.

I cannot but think that what I Recommended to you at the Opening of this Session is more material, and of a nature more needing Dispatch than what you on the 16th Instant Addressed me for: And if I waited Six days for your Answer, and Still Acquiesce under the prospect of no performance on your parts. Me thinks you Also might have had Patience for Some time longer than two Days, e're you expected I should fully Comply with what you had asked.

I am ready to Assist your House in the Maintainance of its just Rights and Priviledges, but you must Excuse me from Aiding in any of your Invasions upon the Prerogative, nor can I Join to Defend all that you may call your Ancient Priviledges. for then your House might Reassume the power of appointing all the Justices of Peace, as it did in former days. And Such an Authority Vested again in you, would not be more Repugnant to the Constitution of *England* [which these Colonys are to Conform to] than that which you are now pretending to, *Vizt*, That your House shall be the Court of Judicature, where Justices shall be tryed and final Sentence passed upon them, for their Judgment given upon the Bench, even in Matters that do not Concern the Burgeffes Assembly.

You have an Officer authorized to bring before you all Persons whom you want to Examine, and likewise to keep in Custody all those you find Guilty of a breach of your Priviledges. And I have not understood that any one yet has refused to appear and Answer to any Accufation of that kind, or to Submit to the Censures of your House for

any

any Offence committed against it: even the two Gentlemen you complain of, obediently and respectfully Attended purpufuant [purfuant] to your Orders; but if you will Charge them with only Misdemeanours, which ought not to be in Judgment before you, and they will not Submit to the Sentence you pafs upon them for the Same, I for my part muft desire to be Excufed from meddling in a Conteft that I obferve had been very irregularly begun

And Seeing your proceedings make the Load of Government Sit already heavily Enough upon my Shoulders, I have the more reason to decline taking up any other Burthens, in this perillous Juncture of Affairs, than Such as Regard the Prefent Safety of the Country.

August 19th 1715

A: Spotfwood

Ordered That the Said Message Do Lye upon the Table.

And then the Houfe Adjourned till to Morrow morning Ten a Clock

Saturday August the 20th 1715

THE Houfe proceeded to the Confideration of the Governors written Message of yesterday, And thereupon

Resolved That the Houfe have an undoubted Right of Receiving hearing and Redreffing the Grievances of the Inhabitants of this Colony when legally Certified, and that *Richard Littlepage* and *Thomas Butts* two of the Juftices of *New Kent* County Court at a Court held in the Said County for Receiving and Certifying the Propositions and Grievances of the People and Inhabitants of the Said County, their Refufing to Receive and Certify the Propositions and Grievances of the People and Inhabitants of the Said County is Arbitrary and illegal and a Subverting of the Rights and Libertys of the People.

Resolved That this Houfe in Sending for *Richard Littlepage* and *Thomas Butts* two of the Juftices of *New Kent* County Court in Custody of the Meflinger of this Houfe, for their Refufing to Receive and Certify the Propositions and Grievances of the People and Inhabitants of the Said County Did not intend to Invade and are of Opinion have not Invaded any part of the Royal Prerogative.

Resolved That the Said *Richard Littlepage* and *Thomas Butts* in Difobeying the Orders of this Houfe, Efcaping out of the Custody of the Meflinger, and Contemning the Authority of this Houfe, are Guilty of a great Misdemeanour and Contempt and ought to be Punifhed for the Same.

Resolved That the Said *Richard Littlepage* and *Thomas Butts* ought to be Compelled to appear and Answer their Said Misdemeanour and Contempt at the Bar of this Houfe.

Resolved That a Suitable Addrefs to the Governor be drawn up upon the Said Message

Ordered That the Committee of Elections and Priviledges together with Mr *Boufh* Mr *Jones* and Mr *Goodrich* do prepare and bring in the Addrefs

Mr *Clayton* from the Committee of Propositions & Grievances Reported that the Said Committee had taken into Confideration Several of the Matters to them Referr'd and had come to Several Refolutions thereupon which they had directed him to Report to the Houfe which he Read in his place and afterwards Delivered in at the Table where the fame being again Read. The Houfe proceeded to the immediate Confideration of the Said Report.

And upon Confideration of the Report of the Said Committee made upon the Proposition from the County of *Princefs Ann* for paying the Burgeffes of the refpective Countys out of the Dutys arifing from Goods Imported.

The Houfe agreed to the Report of the Committee *Vizt.*

Resolved That the further Confideration of the Said Proposition be Referr'd until the next Seflion.

And

And upon Consideration of the Petition of the Inhabitants of the *Manican* Town Praying that Leave may be given them to pay their Publick and County Dues in flax Hemp and Cotton.

After a Debate the Question was put, That the Report of y^e Committee be agreed to.
It passed in the Negative and thereupon.

Ordered That the Said Petition be Rejected.

And upon Consideration of the Petition from the Justices of *James City* County Praying that the Capitol Square may be Added to the Said County for a Conveniency of holding their Court therein.

The House agreed to the Report of the Committee *Vizt*,

Resolved That the Said Petition be Rejected

And upon Consideration of the Proposition from the County of *James City* Praying that the Court House of the Said County may be Continued in the place it formerly Stood or Settled at Some Convenient place as near as may be to the Centre of y^e County.

The House agreed to the Report of the Committee with an Amendment, and thereupon.

Resolved That *Williamsburgh* the Place where the Court for the Said County is appointed to be held is very inconvenient to the greatest part of the Inhabitants of the Said County, therefore that an Humble Address to the Governor in behalf of y^e People be prepared and brought in Praying that he would be pleased to give Leave that the Court House for the Said County may be Erected in *James City* or Some other Convenient Place in the Said County.

Ordered That Mr *Clayton* Mr *Marable* and Mr *Broadnax* do prepare and bring in the Said Address.

Mr *Clayton* [according to Order] presented to the House a Bill to Repeal an Act Entitled *an Act to prevent Hogs going at large in the County of Middlesex* and the Same was Received and Read the first time and Ordered to be Read a Second time.

A Bill to Divide those parts of the Parishes of *Westover* and *Waynoak* which Lye on the South Side *James River* from those parts of the Said Parishes which Lye on the North Side the Said River And for uniting *Westover* and *Waynoak* Parishes on the South Side *James River* to *Martin brandon* Parish in y^e County of *Prince George* and for making *Charles City* County one entire Parish was Read a Second time and Several Amendments were made by the House to the Bill.

Ordered That the Bill with the Amendments be Ingrossed.

And then the House Adjourned till Monday morning Ten a Clock.

Monday August the 22^d 1715.

A BILL to Repeal an Act Entitled *an Act to prevent Hogs going at large in the County of Middlesex* was Read a Second time.

Ordered That the Bill be Ingrossed.

An Ingrossed Bill to Divide those parts of the Parishes of *Westover* and *Waynoak* which Lye on the South Side *James River* from those parts of the Said Parishes which Lye on the North Side the Said River and for uniting *Westover* and *Waynoak* Parishes on the South Side *James River* to *Martin brandon* Parish in the County of *Prince George* and for making *Charles City* County one entire Parish was Read the Third time.

Resolved That the Bill do Pass

Ordered That Mr *Goodrich* Mr *Hall* Mr *Harwood* Mr *Minge* Mr *Cocke* and Mr *Harrison* Do carry the Bill to the Council and desire their Concurrence thereunto.

Mr *Corbin* Reported from the Committee appointed to draw up an Address upon the Governor's written Message of *Friday* last that they had drawn up an Address accordingly

ingly which they had directed him to Report to the House, which he Read in his Place and then Delivered in at the Table where the Same was Read and agreed unto by the House.

Ordered That the Said Address be fairly transcribed and Signed by Mr *Speaker*.

Ordered That the Committee that prepared the Address together with Mr *Meriwether* Mr *Ashton* Mr *Robinson* Mr *Mason* Mr *Harrison* Mr *Burwell* Mr *Barbar* Mr *Bird* Mr *Neal* Mr *Diggs* Mr *Cocke* Mr *Minge* Mr *Hall* Mr *Lear* Mr *Crafford* Mr *Armistead* Mr *Young* Mr *Ball* and Mr *Anderjon* Do present the Same to the Governor.

A Message from the Council by Mr *Robertson*. That the Council have passed a Bill Entituled *an Additional Act for Remedying certain Inconveniencys in an Act made in the twelfth year of her late Majestys Rign Entituled an Act for preventing frauds in Tobacco payments and for the better Improving the Staple of Tobacco* to which y^e Council Desire the Concurrence of this House

And then the House Adjourned till to morrow morning Ten a Clock.

To the Hon^{ble} Alexander Spotfwood his Maj^{ty} Lieut. Governor of Virg^a

The Humble Address of the House of Burg^s

Honoured Sir

We the Burgeffes now Affembled are heartily Sorry that your Honour is not better Apprifed of our Concern for the Distress of our Neighbours And that you Should have any Apprehension of an Indifference in us for the Safety of our Country after We have given So full Assurances of our unfeigned zeal for its Preservation.

In our Address to your Honour of the Ninth Instant We Declared our Intentions of giving all the Supplys to the Support of *South Carolina* that the State of our Country would afford and therein Signified that We Should not Act from any other Motive or Principles than a zeal for the Glory of God, the Service of our King and the welfare of our Country.

And We cannot beleive that your Honour is unacquainted with our Resolutions and Endeavours to bring our promises into real performances; But if the Low Condition of our Country which is reduced to the last degree of poverty by y^e many Engagements it lately Lay under, And the General Grievance of those people whom We Represent claimed any part of our Consideration We hope Your Honour will Excuse our not answering what you were pleased to Recommend to us in reference to *South Carolina* till We had Considered how to fall upon Such Methods as Should be most agreeable to Redress them and least Burthenfome to our Selves.

To manifest our Commiseration towards those People We have passed a Bill for Raifing what mony your Honour Proposed would be needful for the Relief of that Province, and to Evince your Honour that we have no other means to Redress them, than by easing our own People of those Burthens which they Complain Lye So uneasy on them and which was Represented to us as the General Grievance of this Country, We have made Provision for both in one Bill without which we are not of ability to afford any Such Supplys as are required.

If We deemed our Selves under an Obligation to Expedite our Second Address to your Honour for your Assistance in Defence of those Rights and Priviledges which our Ancestors for a long and uninterrupted Series of time Enjoyed under the Administration of all your Predecessors and which We believed were infringed not only by Mr *Littlepage* and Mr *Butts* but also by others encouraged from their unjustifiable Contempts We hope the Resolutions of our House may entitle us to your favourable Construction upon our Proceedings and Plead for our Impatience.

We assure your Honour that no Desires of invading upon the Royal Prerogative Shall have the least Entertainment in our Breasts; Neither do We pretend to Claim any Priviledge of Constituting the Justices of the Peace, but Suffer us Sir to Say that when Justices in Cases where they are not Judicial but Ministerial only will Assume a Jurisdiction and by their Judgment Debarr the People and their Representatives of the Rightful ways and means prescribed by Law for Redressing their Grievances by

Excluding

Excluding them from a true Representation thereof. We believe that Such Matters do concern the Burgeffes in Affembly and We rather incline to that Opinion because the Law has not made any other Provision in that Cafe

Surely the Cafe of thofe two Gentlemen has been Represented to your Honour in more favourable Colors than ever it appeared to us We affure you Sir that one of them never appeared before our Houfe and he that did by his behaviour Shewed So much Difrefpect that every Word & Action carryed with it an Air of Scorn and Contempt.

Our refpect for the Authority Vested in your Honour Excites us to Exert our utmoft Efforts to amove whatfoever may obftruct the facility of your Honours Government And We Shall always Shew a Dutiful regard to your Honours Commands with a Steady Refolution to Act nothing that Shall tend to the present or future Difadvantage of our Country.

Suffer us yet [without incurring your Honours Difpleasure] to Say that thofe beginnings if We have not your Honours Affiftance will be So improved that whatever is Refolved in our Houfe contrary to the Humour of any Difaffected Perfons will be turned into Ridicule by them and the Authority of y^e Houfe of Burgeffes will fall away infenfibly till it becomes nothing but Shadow and name. And as We believe Mr *Littlepage* and Mr *Butts* grounded their Contempts upon Some Affurance of our Difability without Some other Aids So We are fully Convinced that their unpunifhed Mifdemeanours will lay the foundation of Such future Contempts as a Sad experience will Inform us had better have been Suppreffed in their Rife than punifhed in their full growth.

August the 22th 1715

Tuesday August the 23^d 1715

MR *Corbin* acquainted the Houfe that the Governor had been prefented with the Addrefs of this Houfe of yefterday and that his Honour was pleafed to Say that it was of that Length that it required an Answer in Writing.

An Ingroffed Bill to Repeal an Act Entituled *an Act to prevent Hoggs going at large in the County of Middlefex* was Read the Third time.

Resolved That the Bill do pafs.

Ordered That Mr *Corbin* Mr *Hammerton* Mr *Bird* Mr *Conway* and Mr *Ball* do carry the Bill to the Council and defire their Concurrence thereunto.

An Ingroffed Bill from the Council Entituled *an Additional Act for Remedying certain Inconveniencys in an Act made in the twelfth year of her late Majeftys Reign Entituled an Act for preventing frauds in Tobacco payments and for the better improving the Staple of tobacco* was Read the firft time. And after a Debate the Queftion was put That the Bill be Read a Second time.

It paffed in the Negative

A Written Meffage from the Council by Mr *Robertfon*

By the Council

Mr. Speaker and Gentlemen of the Houfe of Burgeffes

The Council having had under Confideration a Refolve of your Houfe of *Saturday* laft in thefe Words *Vizt.*

"Resolved That this Houfe have an undoubted Right of Receiving hearing and *"Redreffing* the Grievances of the Inhabitants of this Colony when legally Certified.

By which it would Seem as if the Burgeffes would affume to themfelves alone a power which neither Houfe can challenge Singly, nor both, without the Governor's Concurrence. The Council therefore hope that as the Burgeffes cannot be ignorant that the power of Redreffing the Grievances of the People is Lodged in the whole General Affembly, and not in any one part thereof, your Houfe will either Recede from or So explain the aforefaid Refolve that the Rights and Priviledges of the Council in Affembly may not be infringed thereby.

It

It is plain by the very Words of the Law that all Propositions and Grievances ought to be Certified by the General Assembly, and it has been the constant Practice heretofore, that Such Grievances as have been So Directed have been first presented to and Considered by the Council and then Referr'd to your House yet it appears that Sundry Propositions and Grievances Directed to the General Assembly, have been this Session Considered in your House without being ever Communicated to the Council as of Right they ought to have been in the first place as they are the upper House of Assembly. The Council therefore expect from the Justice of your House that whatever of that kind may have happen'd through inadvertency Shall not be Drawn into Prejudice for the future to the Prejudice of the Rights and Priviledges of the Council

Ordered That the Said Message Do Lye upon the Table.

And then the House Adjourned till to morrow morning ten a Clock.

Wednesday August the 24th 1715

MR Clayton [according to Order] presented to the House a Bill for Amending an Act Entituled *an Act for Selling the Militia and the better Regulation thereof and for allowing them Pay:* And the Same was Received and Read the first time and Ordered to be Read a Second time.

Mr Jenkins [according to Order] presented to the House a Bill for Regulating and Ascertaining Secretaries County Court Clerks Sheriffs Coroners and Constables fees, and the Same was Received and Read the first and Ordered to be Read a Second time

A Claim from the County of *Elizabeth City* was [by Leave of the House] presented and Referr'd to the Consideration of the Committee for Publick Claims to Examine y^e Matter thereof and Report the Same with their Opinion thereon to the House.

A Motion being made and the Question being put. That Leave be given to bring in a Bill to Amend the Act Entituled *an Act for preventing frauds in tobacco payments and for the better improving the Staple of tobacco.*

It passed in the Negative.

The House proceeded to the Consideration of the Councils written Message of yesterday relating to a Resolve of this House of *Saturday* last touching their Right of Redressing Grievances and thereupon.

Resolved That a Suitable Message in Writing be Sent to the Council in Answer to their Said Message of yesterday.

Ordered That the Committee of Propositions and Grievances do prepare and bring in the Message.

And then the House Adjourned till tomorrow morning Ten a Clock.

Thursday August the 25th 1715.

APETITION of Mr Secretary Cocke Referr'd by the Council to the Consideration of this House was Read Praying to be allowed for twenty eight Writts issued out of his Office for Election of Burgeesses to Serve in this Assembly.

A Petition of Mr *Chichely Corbin Thacker* Referr'd by the Council to the Consideration of this House was Read Praying his usual allowance for Publick Services

Ordered That the Said Petitions be Referr'd to the Consideration of the Committee for Publick Claims to Examine y^e Matter thereof and Report the Same with their Opinion therein to the House.

Mr Clayton Reported from the Committee appointed to prepare a written Message to the Council that they had prepared a Message accordingly which he presented to y^e House and the Same was Read and agreed unto by the House and is as followeth.

By the Burgeesses.

May it Please your Honors

The Burgeesses having taken into Consideration y^e Message Sent by your Honours to this House the 23^d Instant whereby your Honours Desire this House to Recede from or Explain

Explain a Refolve made on *Saturday* laſt by which this Houſe hath Afferted their undoubted Right of Receiving hearing and Redreſſing the Grievances of the Inhabitants of this Colony when legally Certify'd.

We do assure your Honours this Houſe did not intend by the Said Refolve to Affume to themſelves a Right of Redreſſing Grievances Excluſive of the Council or the Governor and with due Submiſſion to your Honours Do think the Words of the Said Refolve do import no more than that this Houſe hath Right to Receive and hear Grievances legally Certified in Order to prepare Bills for Redreſſing Such of them as We ſhall Judge proper for the Concurrence of the Council thereto.

The Law does require all Propoſitions and Grievances to be Certified to the General Aſſembly and to be delivered to the Burgeſſes by them to be preſented accordingly the manner of Directing them is not appointed by Law, and it has been done after divers forms and Some times they have been preſented without any Direction and as this Houſe Conſtitutes that part of the Legiſlative which Represents the People from whom the Propoſitions and Grievances have their Riſe, We humbly Conceive this Houſe may properly and lawfully Receive and hear in Order to Redreſs all Propoſitions and Grievances not particularly Addreſſed to the Council or the Governor.

Nevertheless this Houſe being Deſirous to Eſtabliſh and maintain a good underſtanding with your Honours of the Council and to give you the fullſt Light We can into y^e State of the Affairs of this Country are very willing to tranſmitt to your Houſe all Such Propoſitions and Grievances as now are or at any time hereafter Shall be Delivered to this Houſe for your peruſal when you Shall think fit to require the Same, and Humbly hope your Honours will believe this Houſe will not at any time Attempt to Invade any of the Priviledges of the upper Houſe.

August 25th 1715

Ordered That the Said Meſſage be fairly tranſcribed and Signed by the Clerk of this Houſe. And that the Committee of Propoſitions and Grievances Do carry the Meſſage to the Council.

Mr Clayton from the Committee of Propoſitions and Grievances Reported that the Said Committee had taken into Conſideration a Propoſition from *James City County* and had come to a Reſolution thereupon which they had directed him to Report to the Houſe, which he Read in his place and afterwards Delivered in at the table where the Same being again Read. The Houſe proceeded to the immediate Conſideraçon of the Said Report.

And upon Conſideration of the Report of the Said Committee made upon the Propoſition from *James City County* that Goods taken in Execution may be Expoſed to Publick Sale [if not Redeemed] or that Proviſion be made for a more Juſt Valuation of Such Goods.

After a Debate the Queſtion was put that the Report of the Committee be agreed to.

It paſſed in the Negative

A Bill for amending an Act Entituled *an Act for Settling the Militia and the better Regulation thereof and for Allowing them pay* was Read a Second time.

After a Debate and Some time Spent therein, the Queſtion was put that the Bill be Committed.

Resolved in the Affirmative

Ordered That the Bill be Committed to the Committee that prepared it.

And then the Houſe Adjourned till to morrow morning Ten a Clock.

Friday August the 26th 1715

MR Clayton Reported from the Committee to whom the Bill for amending an Act Entituled *an Act for Settling the Militia and the better Regulation thereof and for allowing them pay* was Committed that the Said Committee had made Several Amendments to the Bill which they had Directed him to Report to the Houſe which he Read in his Place and then Delivered in at the Table where the Same were Read

And

And a Motion being made and the Question being put. That the House proceed to the necessary business of the House.

It was Resolved in the affirmative.

Then the House proceeded to the Consideration of the Said Amendments and the Same were again Read and Agreed unto by the House, and Several other Amendments were made by the House to the Bill.

Ordered That the Bill with the Amendments be Ingrossed.

Mr *Young* moving for Leave to go into the Country on his Extraordinary Occasions Leave is accordingly given him.

Mr *Crafford* moving for Leave to go into the Country on his extraordinary Occasions Leave is accordingly given him and he is Ordered to Attend the Service of the House again on *Wednesday* next.

Mr *Jenkins* moving for Leave to go into the Country on his extraordinary Occasions Leave is accordingly given him and he is Ordered to Attend the Service of the House again on *Tuesday* next.

Mr *Lear* and Mr *Stanop* Severally moving for Leave to go into the Country for Recovery of their health Leave is accordingly given them

Mr *Clayton* Reported from the Committee appointed to draw up an Address to the Governor upon the Resolution of this House of *Saturday* last That they had Drawn up an Address accordingly which they had directed him to Report to the House which he Read in his place and then Delivered in at the Table where the Same was Read and agreed unto by the House.

Ordered That the Said Address be fairly transcribed and Signed by Mr *Speaker*

Ordered That the Committee that prepared the Address together with the Committee for Publick Claims Do present the Same to the Governor.

A Bill for Regulating and Ascertainning Secretarys County Court Clerks Sheriffs Coroners and Constables fees was Read a Second time and Committed to the Committee that prepared it.

Ordered That Mr *Corbin* Mr *Marable* Mr *Cocke* Mr *Broadnax* and Mr *Hall* be Added to the Said Committee.

And then the House Adjourned till to morrow morning Ten a Clock.

To the Hon^{ble} Alexander Spotswood his Maj^{ty} Lieu^t Governor of Virg^a

The Humble Address of the House of Burgeffes

May it Please Yo^r Hono^r!

We his Majestys most Dutiful and Loyal Subjects y^e Burgeffes now Assembled Humbly beg Leave to Represent to your Honour that We having Considered the Grievance presented to this House from Several of the Inhabitants of the County of *James City* that by application of ffour of the Justices of the Said County [when the Court consisted of Six] the Court for the Said County is lately removed from *James City* to *Williamsburgh* which last mentioned place being Scituate at almost the extream end of the Said County is very inconvenient to the greatest number of the Inhabitants thereof whose business requires their frequent Attendance at the Said Court more especially to those who Reside on the Western Side of the River *Chiccohominy* and divers of the Said Inhabitants having proposed to this House to Erect a Court House together with all other buildings by Law required to be built as incident thereto at their own proper cost and charge without burthening the People with a Levy for that Occasion: If your Honour will be pleased to permitt the Said Court to be held at Some other place more convenient to the Inhabitants of the Said County than the City of *Williamsburgh*.

We therefore in most humble manner beg Leave to Represent the Case of the Said Inhabitants to your Honour for your favour therein and intreat your Honour that you will be pleased to permit the Said Inhabitants to provide a Court House and Such other necessary Edifices as are by Law required to be Erected at their cost and charge without laying a Levy for the Same either at *James City* where the Court for the Said County hath

hath been kept time out of mind or Some other place nearer the Center of the Said County And that you will be pleased to Order the Justices of the Peace for the Said County to hold the Court at Such place.

August 26th 1715.

Saturday August 27th 1715

MR Marable from the Committee for Publick Claims Reported that the Said Committee had taken into Consideration the Several Claims to them Referr'd and therein had agreed upon Several Resolutions which they had entred into a Book called the Book of Reports of the Committee for Publick Claims which he presented to the House and the Same was Received.

Mr Clayton acquainted the House that their Address of yesterday hath been presented to the Governor, and that his Honour was pleased to give this Answer *Vizt*.

I know by what Malignant person that Grievance was drawn up and in what unlawful manner it was got Signed and after five years Residence upon the borders of James City County, I think it hard that I may not be allowed to be as good a Judge as Mr Marable's Rable of a proper Place for the Court house.

To remove a County Court upon the Application of its Justices (as I have done) is expressly according to the Law of this Colony, and I am not inclinable to do extraordinary Acts meerly to gratify the humour of Some persons who make it their greatest Meritt with the people to oppose whatever may be for the interest and Dignity of this his Majestys Government.

A Motion was made that a Resolve be Entred relating to Some of the Matters contained in a Proclamation lately issued by the Governor.

And then another Motion was made, And the Question was put, That any of the Matters in the Said Proclamation mentioned be Entered previous to that Resolve

Resolved in the Affirmative

And thereupon the House being acquainted by Some of their Members That by the Said Proclamation it appeared that the Governor had been Informed that the People had been called together in a Riotous manner to Sign Papers as Grievances.

Resolved That those Persons who have Informed the Honourable the L^t Governor that the People have been called together in a Riotous manner to Sign any of the Papers presented to this House as Grievances this Session are evil Disposed persons and Disturbers of and Enemy's to the Peace and Tranquility of this Country.

An Ingrossed Bill for amending an Act Entituled *an Act for Settling the Militia and for the better Regulation thereof and for Allowing them Pay* was Read the third time.

And the Question being put that the Bill do pass.

It passed in the Negative.

A Written Message from the Governor by Mr *Robertson*.

Mr *Speaker and Gentlemen of the House of Burgeffes*

I understand by the Question yesterday in your House, whether the necessary business Should be proceeded on, that you expect an Answer to your Address of the 22^d Instant, and thereupon I Say that if the full Assurances, the unfeigned zeal, and the real intentions which you now tell me of, have been couched in Such dark terms that my understanding could not find them out, in either your Publick Resolves or Address of the 9th Instant yet have you had Sufficient time to explain your true meaning by your proceedings.

The Surest Information I can have of your Resolutions and Endeavours is, from the Bills you Send the Council, but I can therein no more Discover any Measures taken for the Security of your frontiers, than any Supply granted for the Support of your Neighbours, unless you will reckon £450: which you tack'd to a Bill that you were Sensible would never pass the Council or me.

When you Speak of Poverty and Engagements, you argue as if you know the State of your own Country no better than you do that of others: for as I that have had the

Honour

Honour to preſide for Some years paſt over this Government, do poſſitively Deny that any Publick Engagements have drawn any more wealth out of this Colony, than what many a Single perſon in it has on his own Account expended in the time, So I do aſſert, that there is Scarce a Country of its figure in the Chriſtian World, leſs burthened with Publick Taxes.

If you your Selves Sincerely believe that it is reduced to the laſt Degree of Poverty, I wonder the more, that you Should Report Propoſitions for leſſening the charge of Affemblys, That you ſhould expel Gentlemen out of your Houſe for only offering to Serve their Countys upon their own expence, and that while each day of your Siting is So coſtly to your Country, you Should Spend time So fruitleſly, for now after a Seſſion of twenty five days, three Bills only have come from your Houſe, and even Some of thoſe So framed as if you did not expect they Should paſs into Acts.

I am not Surprized at your laying an extraordinary Streſs upon the Papers of Grievances which have been Delivered to this Affembly, Since I know them to have been originally framed and drawn up by many perſons among you, and perhaps their bearing So near a Relation to your Houſe, may incline you to Judge it a Breach of your Priviledges, That Some Juſtices in the Courts held for Certifying Grievances, have declared them to be falſe and Seditious, and given them Some obſtruction in their Paſſage.

If you look back into the Journals of former Affemblys, you may find that the Peoples Propoſitions & Grievances have frequently failed of the County Courts Atteſtation, yet have they not been thereby Debarred from having them under the Affemblys Conſideration, Since it has been the Practice of your Houſe to admit them without that form, and even, all the uncertified Grievances of this Seſſion make in your Journal of the 10th Infant, as lawful an Appearance as any, at the Introduction of that Bill, which the Council flung out at the firſt Reading: So that the Peoples Rights and Libertys cannot be Subverted [as your Reſolve of the 20th infant will have it] by Juſtices reſuſing to Receive and Certify their Propoſitions and Grievances: And if in this Caſe you will Reckon them only Miniſterial Officers, and Diverſting them of their Judicial capacity expect they muſt Certify all Remonſtrances whether true or falſe, lawful or Seditious: and in what manner Soever they be preſented, then I cannot See to what end the Laws for preſentation of Grievances have been made, or of what Signification the Juſtices Atteſtations are.

As I have remarked that your Predeceſſors have often in this caſe wanted the Courts Certificates, So I dare Say, you are the firſt Houſe that ever thus proceeded to puniſh the Juſtices for the Same. And if you will Judge otherwiſe of your Rights and Priviledges than your Anceſtors have done, and will aim at greater power than ever the Comons of *England* pretended to, You muſt expect to be baffled, while you have a Governor who is Reſolute in the maintenance of a Conſtitution conformable to that of *England*, Nor is a Set of men who come hither obſtinately bent to do nothing for the Safety and Dignity of his Majeſtys Government, but upon the hardeſt Conditions, likely to work upon him to yeild them up any part of his juſt Authority.

But for Brevitys Sake, to wave Replying to Several of your Arguments and Appol-ogys, which have little weight in them, and to explain my Self, as clearly as I can upon the Point in Conteſt, I do aſſure the Houſe of Burgeſſes that my Authority is ready to compel to appear before them any perſon whom they have Occaſion to Examine, or whom they ask to be Delivered up to their Juſtice, for an undoubted breach of their Priviledges: but when they charge men with Arbitrary and illegal Acts and Miſde-meanours, and thereupon paſs Reſolutions, that they ought to be puniſhed & compelled to anſwer at the Barr of their Houſe, I muſt plainly declare that I will not aſſiſt in the bringing any of his Majeſtys Subjects to Plead to a charge of Crimes and Miſdemeanors at the Burgeſſes Bar.

August 27th 1715

A: Spotswood

Ordered That the Said Meſſage do Lye upon the Table.

And then the Houſe Adjourned till Monday morning Ten a Clock.

Monday

Monday August the 29th 1715

MR Clayton [according to Order] presented to the House a Bill for the Encouragement of Such Persons as have gone and shall go Voluntarily into the Service of *South Carolina*.

A Bill for Disabling persons holding certain Places of profit in this Colony from being Members of the House of Burgeffes.

A Bill for the ffrequent meeting and calling Affemblys, and y^e Same were Received and Read the first time and Ordered to be Read a Second time.

Mr *Hall* [on his Motion] hath Leave to go into the Country on Extraordinary Occasions.

The House proceeded to the Consideration of the Book of Reports of the Committee for Publick Claims and the Same was Read and with Some Amendments agreed unto by the House.

Mr *Clayton* from the Committee of Propositions and Grievances Reported That the Said Committee had taken into Consideration Several of the Matters to them Referr'd and thereupon had come to Several Resolutions which they had directed him to Report to the House which he Read in his Place and afterwards Delivered in at the Table where the Same being again Read the House proceeded to the immediate Consideration of the Said Report.

And upon Consideration of the Report of the Said Committee made upon the Propositions from the Countys of *Gloucester James City* and *Surry* for Disabling Persons who hold places of profit from being Members of the Assembly.

The House agreed to the Report of the Committee with an Amendment *Vizt.*

Resolved That the Same is provided for by a Bill brought in for that purpose.

And upon Consideration of the Report of the Said Committee made upon the Proposition from *James City* County That no Assembly be Continued longer than Three years.

The House agreed to the Report of the Committee with an Amendment *Vizt.*

Resolved That the Same is provided for by a Bill brought in for that Purpose.

And upon Consideration of the Report of the Said Committee made upon the Propositions from the Countys of *Charles City* and *Warwick* for Ascertainning Secretarys Clerks and Sheriffs fees.

The House agreed to the Report of the Committee *Vizt*

Resolved That the Same in [is] Answered by a Bill brought in for that purpose.

And upon Consideration of the Report of the Said Committee made upon the Proposition from *Henrico* County for directing that Ministers &c Register births and burials *Ex Officio*.

The House agreed to the Report of the Committee *Vizt*

Resolved That the Said Proposition be Rejected

And upon Consideration of the Report of the Said Committee made upon the Proposition from the Said County of *Henrico* for giving a Reward for killing Crows & Squirrels. A Proposition of the like nature having been under Consideration of this Committee and Rejected

The House agreed to the Report of the Committee *Vizt.*

Resolved That the Said Proposition be Rejected.

And upon Consideration of the Report of the Said Committee made upon the Proposition from the Said County of *Henrico* That the Rangers under Lieu^t *Nappier* be directed fully to Comply with their Orders.

The House agreed to the Report of the Committee *Vizt.*

Resolved That the Said Proposition be Rejected.

And upon Consideration of the Report of the Said Committee made upon the Proposition from the Inhabitants of the upper parts of the Said County of *Henrico* That they

they may not be obliged to Travel So great a distance to Musters as at present they are compelled but that they may be Mustered in their Neighbourhood [Neighbourhood]

The House agreed to the Report of the Committee *Vizt.*

Resolved That the Said Proposition be Rejected

And upon Consideration of the Report of the Said Committee made upon the Proposition from *Lancaster* County for Restraining Sheep from going at large from the Middle of *May* to the last of *September* yearly

The House agreed to the Report of the Committee *Vizt.*

Resolved That the Said Proposition be Rejected

And upon Consideration of the Report of the Said Committee made upon the Proposition from *Gloucester* County for Tenants paying their Rents in Country Commodities.

The House agreed to the Report of the Committee *Vizt.*

Resolved That the Said Proposition be Rejected.

And upon Consideration of the Report of the Said Committee made upon the Proposition from the County of *Charles City* and Some of the Inhabitants on the West Side of *Chicahominy* River in the County of *James City* for Adding that part of the County of *James City* to the Said County of *Charles City*.

The House agreed to the Report of the Committee *Vizt.*

Resolved That the Said Proposition be Rejected.

And upon Consideration of the Report of the Said Committee made upon the Proposition from *Warwick* County for paying their debts in Tobacco and Corn at a Price to be Sett.

The House agreed to the Report of the Committee *Vizt.*

Resolved That the Said Proposition be Rejected

And upon Consideration of the Report of the Said Committee made upon the Grievance from the Said County of *Warwick* Complaining of Oppressions from the Sheriffs

The House agreed to the Report of the Committee *Vizt.*

Resolved That the Said Grievance be Rejected

And upon Consideration of the Report of the Said Committee made upon the Propositions and Grievances from the Countys of *Surry Isle* of *Wight Charles City King* and *Queen Norfolk Prince George Nansmond Henrico* and *Warwick* against the Trade carryed on with the Indians in the manner prescribed by the Act Entituled *an Act for the better Regulation of the Indian Trade* and Praying that care be taken that the flort of *Christanna* may not be a Country Charge.

The House agreed to the Report of the Committee *Vizt.*

Resolved That a Bill be prepared and brought in to oblige Such persons as by Vertue of that Law are allowed to Trade with y^e Indians, to defray the whole charge of the Said Trade and to pay the Interpreters of Such Indians and the charge of fforage of Such Indians and their Interpreters and other incident charges relating to the Said Trade and that they at their proper cost defend the Country against the Invasions or Incurfions of all Indians whatsoever.

Ordered That the Committee of Propositions and Grievances do prepare and bring in the Bill.

And upon Consideration of the Report of the Said Committee made upon the Proposition of the Inhabitants of the upper parts of *Henrico* County That the Minister of *Henrico* Parish may be Directed to Preach to them once in every Month.

The House agreed to the Report of the Committee *Vizt.*

Resolved That a Chappel be Erected for the Ease of the Said Inhabitants at or near the Stooping Hickory about a Mile below the Lower *Westham* in the Said Parish of *Henrico* And that the Minister be appointed to Preach therein every fourth *Sunday* and that a Bill be prepared and brought in for that purpose.

Ordered That Mr *Randolph* and Mr *Cocke* do prepare and bring in the Bill

And upon Consideration of the Report of the Said Committee made upon the Proposition from the Countys of *Charles City Norfolk King William Isle* of *Wight* and *Surry* That

That the Act Entituled *an Act Declaring what Shall be Accounted a Sufficient Seating Planting Cultivating and Improving of Land already granted or hereafter to be taken up and Patented in Relation to Lands Lapsing for want of Payment of Quit Rents for Three years* may be explained or that part thereof Repealed. And the Said Committee having further Reported that they had Read and Considered the Said Act and also the Act Entituled *an Act for Selling the Titles and bounds of Lands and for preventing unlawful Shooting and Ranging thereupon* And that by the Construction of the Said Acts it may be doubtful whether the Lands therein mentioned to Lapse for want of payment of Quit Rents shall be Extended to all Lands heretofore granted or only to such Lands as have been or Shall be granted Since the making the Said Acts.

The House agreed to the Report of the Committee *Vizt.*

Resolved That a Bill be prepared and brought in to Explain the Said Acts in Relation to Lands Lapsing for want of paym^t of Quit Rents which have been granted before the making the Said Acts.

Ordered That the Committee of Propositions and Grievances do prepare and bring in the Bill.

Mr *Jones* moving for Leave to be Absent on his Extraordinary Occasions Leave is accordingly given him.

And then the House Adjourned till to morrow morning Ten a Clock.

Tuesday August the 30th 1715

A BILL for the frequent meeting and calling Assemblies was Read a Second time. *Ordered* That the Bill be Ingrossed.

A Bill for Disabling persons holding certain Places of profit in this Colony from being Members of the House of Burgesses was Read a Second time.

Ordered That the Bill be Ingrossed.

A Motion being made and the Question being put. That Leave be given to bring in a Bill for amending the Act Entituled *an Act for preventing frauds in Tobacco payments and for the better improving the Staple of Tobacco*

It passed in the Negative

Ordered That the Committee for Publick Claims do inspect and Examine Mr *Treasurers* Accounts and Report their Opinion thereupon to the House.

Mr *Griffin* moving for Leave to be Absent on Extraordinary Occasions Leave is accordingly given him.

Mr *Clayton* from the Committee of Propositions and Grievances Reported That the Said Committee had taken into Consideration Several Matters to them Referr'd and therein had come to Several Resolutions which they had directed him to Report to the House which he Read in his Place and afterwards delivered in at the Table where the Same being again Read. The House proceeded to the immediate Consideration of the Said Report

And upon Consideration of the Report of the Said Committee made upon the Proposition from *King William County* that a Publick Ferry be Setled from Capt *Thomas Clayborns* in the Said County over *Pamunkey River* to Mr^s *frances Tickles* and *Richard Richardsons* in the County of *New Kent*.

The House agreed to the Report of the Committee with an Amendment and thereupon.

Resolved That a Bill be prepared and brought in to Settle a ferry pursuant to the Said Proposition And that the Price for a man and Horse to *Richard Richardsons* be Twelve pence and to Mr^s *frances Tickles* fifteen pence.

Ordered That Mr *Jones* Mr *Johnson* Mr *Corbin* Mr *Bird* and Mr *Boush* do prepare and bring in the Bill.

And

And upon Consideration of the Report of the Said Committee made upon the Proposition from the County of *Middlesex* that Some expedient be taken to prevent the exceffive breeding and runing at large Such Vaft Numbers of wild uselefs Horfes.

The Houfe agreed to the Report of the Committee *Vizt*

Resolved That the Said Proposition be Rejected.

And upon Consideration of the Report of the Said Committee made upon the Proposition from *James City* County that Surveyors fees may be Lessened.

The Houfe agreed to the Report of the Committee *Vizt*.

Resolved That the Said Proposition be Rejected

And upon Consideration of the Report of the Said Committee made upon the Grievance from the Said County againft a Trade with the Indians in the manner directed by Law.

The Houfe agreed to the Report of the Committee *Vizt*.

Resolved That the Said Grievance be Rejected.

And upon Consideration of the Report of the Said Committee made upon the Proposition from the County of *James City* that County Courts may be Impowered to hear and determine upon Jurys Verdicts [made and returned purfuant to the Law directing the Manner of Proceffioning] in the Same Manner as in Actions of Trefpafs and to award the Cofts to be paid by the Party who Shall be found to give the unjuft Vexation.

The Houfe agreed to the Report of the Committee *Vizt*.

Resolved That the Same is provided for by Law

And upon Consideration of the Report of the Said Committee made upon the Proposition from the Countys of *James City* and *York* for taking away or moderating the Allowance of Burgesses.

The Houfe agreed to the Report of the Committee *Vizt*.

Resolved That the Said Propositions be Referr'd to the Consideration of the next Seffion.

And upon Consideration of the Report of the Said Committee made upon the Proposition from the County of *York* againft Striking of fifh in the Salt waters.

The Houfe agreed to the Report of the Committee *Vizt*.

Resolved That the Said Proposition be Rejected

And upon Consideration of the Report of the Said Committee made upon the Proposition from the County of *King* and *Queen* for Repealing the Act Entituled *an Act to prevent Hoggs going at large in the County of Middlesex*.

The Houfe agreed to the Report of the Committee *Vizt*.

Resolved That the Said Proposition be Rejected

And upon Consideration of the Report of the Said Committee made upon the Proposition from the County of *Richmond* for dividing the Said County by the Run or Swamp called *Charles's Beverdam* and for making the Same two diftinct Countys.

The Houfe agreed to the Report of the Committee *Vizt*.

Resolved That the Said Proposition be Rejected.

And upon Consideration of the Report of the Said Committee made upon the Proposition from Some Inhabitants of *Virginia* that all great Roads in every County be made on the Ridge which Leads from the Mouth of each of the great Rivers to the Mountains.

The Houfe agreed to the Report of the Committee *Vizt*.

Resolved That the Said Proposition be Rejected.

And then the Houfe Adjourned till to morrow morning ten a Clock

Wednesday August 31th 1715.

MR Clayton [according to Order] presented to the Houfe a Bill to explain an Act Entituled *an Act Declaring what Shall be Accounted a Sufficient Seating Planting Cultivating and improving of Lands already granted or hereafter to be taken up and Patented*, And the Same was Received and Read the first time and Ordered to be Read a Second time.

An

An Ingrossed Bill for Disabling persons holding certain Places of profit in this Colony from being Members of the House of Burgeesses was Read the third time

Resolved That the Bill do pass.

An Ingrossed Bill for the frequent meeting and calling Assemblies was Read the third time.

Resolved That the Bill do pass

Ordered That Mr Meriwether Mr Conway Mr Harrison Mr Boush Mr Diggs Mr Hawkins Mr Ashton Mr Armistead Mr Ball and Mr Neal do carry the Bills to the Council and Desire their Concurrence thereunto.

A Bill for the Encouragement of Such persons as have gone and Shall go Voluntarily into the Service of *South Carolina* was Read a Second time and a Small Amendment was made by the House to the Bill.

Ordered That the Bill with the Amendment be Ingrossed

Mr Boush [according to Order] presented to the House a Bill for Setling a Publick ferry over *Pamunky* River in the County of *King William* And the Same was Received and Read the first time and Ordered to be Read a Second time.

A Bill to Explain an Act Entituled *an Act Declaring what Shall be Accounted Sufficient Seating Planting Cultivating and improving of Lands already granted or hereafter to be taken up and Patented* was Read a Second time and an Amendment was made by the House to the Bill.

Ordered That the Bill with the Amendment be Ingrossed.

And then the House adjourned till to morrow morning ten a Clock

Thursday September the 1st 1715

MR Randolph presented to the House [according to Order] a Bill requiring the Vestry of the Parish of *Henrico* to Build a Chappel in the Said Parish and the Same was Received and Read the first time and ordered to be Read a Second time.

Mr Clayton [according to Order] presented to the House a Bill to Oblige the *Virginia Indian Company* to Defray the Charge of their Trade and all other charges arising by means thereof, and the Same was Received and Read the first time And Ordered to be Read a Second time.

An Ingrossed Bill to Explain an Act Entituled *an Act Declaring what Shall be Accounted a Sufficient Seating Planting Cultivating and Improving of Lands already granted or hereafter to be taken up and Patented* was Read the Third time.

Resolved Nemine Contradicente.

That the Bill do pass.

An Ingrossed Bill for the Encouragement of Such persons as have gone and Shall go Voluntarily into the Service of *South Carolina* was Read the Third time

Resolved That the Bill do pass

Ordered That the Committee of Propositions and Grievances do carry the Bills to the Council and Desire their Concurrence thereunto

The House proceeded to take into Consideration the Allowances to be made to the Several Officers of the Assembly and the Same being agreed on by the House were added to the Book of Reports of the Committee for Publick Claims.

Ordered That the Committee for Publick Claims Do carry the Book to the Council and Desire their Concurrence thereunto

A Bill for Setling a Publick ferry over *Pamunkey* River in the County of *King William* was Read a Second time and Some Amendments were made by the House to the Bill.

Ordered That the Bill with the Amendments be Ingrossed.

A Bill requiring the Vestry of the Parish of *Henrico* to build a Chappel in the Said Parish was Read a Second time and a Small Amendment was made by the House to the Bill.

Ordered That the Bill with the Amendment be Ingrossed

A Message from the Council by Mr *Robertson*

That the Council have proposed Several Amendments to the Bill Entituled *an Act for the frequent meeting and calling Asssemblies* to which the Council Desire the Concurrence of this House.

The House proceeded to the immediate Consideration of the Said Amendments and the Same were Read and Some of the Amendments were agreed unto and Some of them Disagreed unto by the House.

Ordered That the Committee of Propositions and Grievances do Acquaint the Council that this House have agreed to part of the Amendments by them proposed to the Bill Entituled *an Act for the frequent meeting and calling Asssemblies* and to part have disagreed and desire their Honours to agree to the Bill with Such of their Amendments as are Agreed unto by this House.

The House proceeded to the Consideration of the Governors written Message of the 27th of the last Month and the Same was Read

Resolved That a Suitable Answer be prepared to the Said Message

Ordered That the Committee of Propositions and Grievances do prepare and bring in the Answer.

Ordered That the Said Message be Referr'd to the Said Committee

And then the House Adjourned till to morrow morning ten a Clock.

Friday September the 2^d 1715

MR Clayton from the Committee appointed to prepare and bring in an Answer to the Governors written Message of the 27th of the last month Reported That the Said Committee had in Answer to the Said Message drawn up Several Resolutions which they had Directed him to Report to the House which he Read in his place and afterwards Delivered in at the Table where the Same were twice Read and with Some Small Amendments agreed unto by the House and are as follow
Vizt.

Resolved That the Honourable the Lieu^t Governor by his Agreement with the House of Burgeffes at their Session in 1714. hath engaged to Defend the frontiers of this Colony until *December* 1716 for the Several Sums of mony and tobacco then given him for that purpose.

Resolved That this House by giving four hundred and fifty pounds for the Assistance of the People of *South Carolina* in the manner that mony was given, had a real Intention to Relieve those People, and did expect the Inhabitants of *Virginia* might be Relieved from the hardships of the Tobacco Law by the Same Act.

Resolved That besides the Common taxes for Levys, the Duty of two Shillings p^r hoghead upon tobacco, and the Duty upon Liquors and Slaves, this Country is Burthened with an Extraordinary Imposition upon Tobacco for the use of the Tobacco Agents which is more Grievous than any Publick Tax

Resolved That the Resolution made by the House upon the Complaint made concerning the first Election of Burgeffes to Serve for the County of *Warwick* was according to the Law of this Colony.

Resolved That what delays has happened in our proceedings has been Occasioned by the Lieu^t Governors Denying to Assist this House in their Just Rights and Priviledges

Resolved That the true and only Motive to this House for Ascertainning and Insisting on their Rights and Priviledges against Some Justices was to Support and Maintain the Rights and Libertys of the People against Such as endeavoured to Deprive them of the benefit given by Law to Represent their Grievances to the General Assembly.

Resolved That the Papers of Grievances refused to be Certified by the Justices of *New Kent* County Court did not contain in them any thing false or Seditious. And that

that the Said Justices being the first that have refused to Certify the Grievances of the People to the General Assembly ought to be the first Punished at the Barr of the House of Burgeses for an Offence of that Nature

Resolved That this House of Burgeses ought not to be Stigmatized with the Denomination of a Sett of men obstinately bent to do nothing for the Safety and Dignity of his Majestys Government but upon the hardest Conditions, for only Sincerely endeavouring and Pursuing those Methods they think most Proper to Redeem the Country from that almost intollerable Burthen imposed on the People no ways for the Safety Support or Dignity of this Government there being in the Bill passed by this House better Provision made for the payment of the Clergy, Publick Creditors and Officers, than in that Law which at first was projected for that purpose.

Resolved That by the refusal of the Honourable the Lieu^t Governo^r to grant his aid to Compel *Richard Littlepage* and *Thomas Butts* of *New Kent* County to appear at the Barr of this House. The Burgeses are denied their just Rights and Priviledges.

Resolved That the Message from the L^t Governor of the 27th August last contains in it undeserved and Scandalous Reflections upon the Persons and Proceedings of this House of Burgeses.

A Message from the Council by Mr *Robertson*.

That the Council do adhere to all the Amendments by them proposed to the Bill Entituled *an Act for the frequent meeting and calling Assemblys*

The House proceeded to the immediate Consideration of y^e Said Message and thereupon.

Resolved That this House do insist on their Disagreement to those parts of the Councils Amendments to which their Honours do Adhere.

Resolved and accordingly *Ordered*

That the Several Persons to whom Mony Allowances are made in the Book of Claims be paid their Several and respective Allowances out of the Moneys arising by the Dutys on Liquors and Slaves next after the Moneys already appropriated and Ordered to be paid out of the Moneys arising by the Said Dutys are Satisfied and paid. And that the Said Payments be made in the Order they Stand in the Said Book of Claims.

Ordered That the Committee for Publick Claims do carry the Said Resolve to the Council and Desire their Concurrence thereunto.

An Ingrossed Bill requiring the Vestry of the Parish of *Henrico* to build a Chappel in the Said Parish was Read the third time

Resolved That the Bill do Pass

An Ingrossed Bill for Settling a Publick ferry over *Pamunky* River in the County of *King William* was read the third time.

Resolved That the Bill do Pass

Ordered That Mr *Randolph* Mr *Jones* Mr *Boush* Mr *Johnson* Mr *Corbin* Mr *Bird* and Mr *Cocke* do carry the Bills to the Council and desire their Concurrence thereunto

A Bill to oblige the *Virginia Indian Company* to Defray the Charge of their Trade and all other charges arising by means thereof was Read a Second time

Ordered That the Bill be Ingrossed

Mr *Randolph* moving for Leave to be absent on his Extraordinary Occasions Leave is accordingly given him.

And then the House Adjourned till to morrow morning ten a Clock.

Saturday September the 3^d 1715.

AN Ingrossed Bill to oblige *Virginia Indian Company* to Defray the Charge of their Trade and all other charges arising by means thereof was Read the Third time.

Resolved That the Bill do pass

Ordered That the Committee of Propositions and Grievances do carry the Bill to the Council and Desire their Concurrence thereunto.

A Message from the Council by Mr *Robertson*.

That the Council have agreed to the Bill Entitled *an Act for y^e Encouragement of Such persons as have gone and Shall go Voluntarily into the Service of South Carolina* with an Amendment to which the Council Desire the Concurrence of this House.

Also a Written Message from the Council by Mr *Robertson* which is as followeth *Vizt.*

Mr Speaker and Gentlemen of the House of Burgeffes

The Council having now under Consideration the Book of Claims Sent up from your House, and observing that the Claim of *James Shields* for dieting and Accomodating the Three Interpreters who Attended the Indians upon the Publick Service, is disallowed by your House, think it necessary to put you in mind that Such Charges have been defrayed by former Assemblies: And therefore Propose that your House will consent that the Council may add that Allowance to the Book of Claims, before it be passed: but if you Judge that the Interpreters in regard of their established Sallarys, ought to bear their own Expences, that then this Charge be Deducted out of their Allowance in the Book of Claims and paid to the Said *Shields*; otherwise he will be left without Remedy.

The Claims also of *James Terrey* of *Gloucester* County and *John Roberts* of *York* for carrying on board the Volunteers Lifted for the Service of *South Carolina* are disallowed by your House, as being no Country Charge, upon which the Council cannot forbear observing to you, that after the Treaty upon which those forces were Raised had been laid before and approved by your House, and that you cannot imagine that Such a number of men can be raised and embark'd without Some charge, the Rejecting Such a trifle as the Expence of carrying them on board, Seem little agreeable to the Engagements of your House for enabling the Governor to perform that Treaty. And therefore the Council are willing to impute it rather to inadvertency than Design, that this Claim is not allowed.

The Council cannot but observe likewise the unusual manner in which Several Claims, thought fit to be Rejected by your Committee are inserted in this Book, for whereas it hath been the constant Practice of former Committees, to mention as well the Services which they did not think themselves obliged to pay as those they allowed of. In this Some Claims are disallowed of, in general terms, without mentioning for what Service the Demand is made, by which means the Council must either trust implicitly to y^e Report of your Committee, or be deprived [without abundance of trouble] of their Right of Judging and Determining of the Claims of the People for their Publick Services, without which, the Councils Concurrence to the Book of Claims would be meerly a matter of form, which no House of Burgeffes has ever before pretended to, and the Council must insist that it be not made a President for the future.

The Council must Remind you that by a Miscalculation of y^e Committee of Propositions last Session of Assembly 9000^{li} of Tobacco was appointed to be paid in *King* and *Queen* County, more than the Publick Levy of that County amounted to, but no Provision is yet made for Supplying the Deficiency: And as the Publick Creditors of that County must fail of So much of their just Dues, unless care be taken to Raise the Same in this years Levy, The Council cannot doubt but that your House will agree that y^e Same be now charged as a Debt upon the Country in the present Book of Claims.

These Amendments being agreed to by your House, The Council are ready to pass the Book of Claims accordingly.

September the 3^d 1715

The House proceeded to the immediate Consideration of the Message and all the Proposals therein made were agreed unto by the House, except one which was disagreed unto.

Resolved That a written Message be Sent to the Council in Answer to their Said Message and to Acquaint them how far this House have agreed to the Amendments by them proposed to be made to y^e Book of Claims and wherein they have Disagreed.

Ordered That the Committee for Publick Claims do prepare and bring in y^e Message.

Then

Then the House took into Consideration the Amendment proposed by the Council to the Bill Entituled *an Act for the Encouragement of Such persons as have gone and Shall go Voluntarily into the Service of South Carolina* And the Same was Read and agreed unto by the House.

A Petition of *Miles Cary* Clerk of the Committee for Publick Claims Referr'd by the Council to the Consideration of this House was Read Praying a better Allowance for his Service this Session than is made him in the Book of Claims.

Ordered That the Said Petition be Rejected

And then the House Adjourned till to morrow morning ten a Clock

Monday September the 5th 1715.

MR *Marable* from the Committee for Publick Claims Reported that the Said Committee had [according to Order] prepared a written Message to the Council, which he presented to the House, and the Same was Read and agreed unto by the House and is as followeth *Vizt.*

By the House of Burgeffes

May it Please your Honors

Upon Considering your Honours Message of *Saturday* last relating to the Book of Claims the Burgeffes are of Opinion that the Claim of *James Shields* for Dyeting and accomodating the Indian Interpreters ought not to be a Charge upon the Country but that they ought to bear their own Expence, and therefore the Burgeffes do agree that that Charge be Deducted out of the Interpreters Allowance and paid to Mr *Shields*

The Burgeffes Do insist on their Disallowance of the Claims of *Terry* and *Roberts* for carrying on board the Voluntiers Lifted for y^e Service of *South Carolina*, for the reason mentioned in the Book of Claims [to wit] That those Claims are not a Country Charge

Such Claims as your Honours observe to be Disallowed in general Terms without mentioning for what Service the Demand is made y^e Burgeffes are well Satisfied ought not to be allowed, Notwithstanding the Services are not mentioned in the Book of Claims. And that your Honours may neither trust implicitly to the Report of our Committee nor be deprived of your Right of Judging and determining the Claims of the People for their Publick Services. We do assure you that the Burgeffes will always Endeavour So to prepare the Book of Claims, before it be Sent up to your Board, that your Honours may have as little trouble as possible in the Examination and passing thereof: And that if any Claims have been Reported by the Committee in an unusual manner, and passed unobserved by our House, it Shall not be made a Preident for the future.

The Burgeffes are Satisfied that there was a Miscalculation last Session of Assembly of 9000^{li} of tobacco appointed to be paid in *King* and *Queen* County more than the Publick Levy of that County amounted to, and do agree that Sum be now charged as a Debt upon y^e Country And that Allowances thereof be made in the Book of Claims to whom the Same is due. And observing by the last Book of Proportions that the Governor was Short paid of the Tobacco Raised for him by the last Assembly 306^{li} of tobacco We do desire your Honours would also make that Allowance to the Governor in the Book of Claims.

September the 5th 1715.

Ordered That the Said Message be fairly Transcribed and Signed by the Clerk of this House, and that the Committee for Publick Claims do carry the Message to the Council.

Mr *Marable* Reported from the Committee to whom the Bill for Regulating and Ascertainning Secretarys County Court Clerks Sheriffs Coroners and Conftables fees are

are Committed; That y^e Said Committee had made Several Amendments to the Bill w^{ch} they had Directed him to Report to the House, which he Read in his place, and afterwards Delivered in at the Table, where the Same were Read.

Ordered That the Said Amendments Do Lye upon the Table to be perused by the Members of the House.

And then the House Adjourned till to morrow morning Ten a Clock.

Tuesday September the 6th 1715.

THE House took into Consideration the Amendments to the Bill for Regulating and Ascertaining Secretarys County Court Clerks Sheriffs Coroners and Constables fees made by the Committee to whom the Said Bill was Committed, and the Same were Read and agreed unto by y^e House, and Some other Amendments were made by the House to the Bill

Ordered That the Bill with the Amendments be Ingrossed

A Message from the Council by Mr *Robertson*. That the Council have passed the Book of Claims with the Amendments agreed unto by this House and have obtained the Governors Assent thereto.

And also that the Council have agreed to the Resolve of this House relating to the Payment of the Mony allowances made in y^e Book of Claims, and have likewise obtained the Governors Assent to that Resolve

A Committee for Proportioning the Publick Levy

Mr *Marable*.....Mr *Jenkins*

Mr *Conway*.....Mr *Minge*

Ordered That the Clerk of the Committee of Propositions & Grievances do attend the Committee for Proportioning the Publick Levy in y^e Absence of Mr *Cary* now in the Country for Recovery of his health.

A Message from the Council by Mr *Robertson*. That the Council have agreed to the Bill Entituled *an Act Requiring the Vestry of the Parish of Henrico to Build a Chappel in the Said Parish* without any Amendments

And then the House Adjourned till to morrow morning Ten a Clock

Wednesday September the 7th 1715.

ORDERED That a Bill be brought in for Raifing a Publick Levy and that the Committee for Publick Claims do prepare and bring in y^e Bill.

Ordered That they withdraw immediately and prepare the Bill And they withdrew accordingly.

Mr *Neal* [on Motion] hath Leave to go into the Country on his Extraordinary Occasions.

An Ingrossed Bill for Regulating and Ascertaining Secretarys County Court Clerks Sheriffs Coroners and Constables fees was Read the Third time, and an Amendment was made by the House to the Bill.

Resolved that the Bill do pass.

Ordered That Mr *Boush* Mr *John Buckner* Mr *Robinson* Mr *Ashton* Mr *Jones* Mr *Goodrick* Mr *Cocke* Mr *Anderson* Mr *Hall* and Mr *Prefley* do carry the Bill to the Council and Desire their Concurrence thereunto.

Mr *Marable* [according to Order] presented to the House a Bill for Raifing a Publick Levy, and the Same was Received and Read the first time and Ordered to be Read a Second time.

Resolved That the Bill be now Read a Second time.

And

And the Bill was Read a Second time and an Amendment was made by the House to the Bill.

Ordered That the Bill with the Amendment be Ingrossed.

Ordered That Mr Jones Mr Goodrich Mr Boush and Mr Blackburn do Examine the Inrolled Bills by the Ingrossed Bills.

Mr Marable Reported That the Persons appointed had (according to Order) Proportioned the Publick Levy and that it amounted to Two pounds and a quarter of a Pound of tobacco & Poll and he presented to the House a Book of the Proportions and the Same was Received Read and Agreed unto by the House.

Ordered That the Persons that Proportioned the Publick Levy do carry the Said Book to the Council and desire their Concurrence thereunto.

An Ingrossed Bill for Raising a Publick Levy was Read the Third Time.

Resolved that the Bill do pass

Ordered That the Committee for Publick Claims do carry the Bill to the Council and desire their Concurrence thereunto.

Mr Jones Reported That the Persons appointed had (according to Order) Examined the Inrolled Bills by the Ingrossed Bills and that the Said Bills are truly Inrolled.

A Message from the Council by Mr Robertson. That the Council have agreed to the Book of Proportions without any Amendments, and have obtained the Governors assent thereunto.

And also That the Council have agreed to the Bill Entituled *an Act for Raising a Publick Levy* without any Amendments.

Mr Robertson further Acquainted the House that he was Commanded by the Council to Deliver a written Message from their Honours to this House, and he presented the Same to the House accordingly.

Ordered That the Persons that Examined the Inrolled Bills do carry the Same to the Council for their perusal.

The written Message from the Council was Read and is as followeth *Vizt.*

By the Council.

Mr Speaker and Gentlemen of the House of Burgeses

The Council having Seen Some Resolves of your House of *ffriday* last, of a very extraordinary nature, and drawn in Such a Stile as if they were Designed to Expose the L^t Governor and themselves as well as the last House of Burgeses, and to appeal to the People for the Justifications of your proceedings think themselves obliged both in Vindication of the Truth which in their Opinion is in Some things grossly Misrepresented; and for the Preservation of the Peace of the Country, which they take to be very much endangered by Such a Strange Conduct, to take the Said Resolves into Consideration, and to endeavour either to perswade you into a better mind, or at least to Justify the Governor and Government from Such harsh and undeserved Aspersions

1. Whereas in the first of those Resolves y^e Declare that the L^t Governor, by his Agreement with the House of Burgeses at their Session in 1714 hath engaged to Defend the frontiers of this Colony until *December* 1716, for the Several Sums of money and tobacco then given him for that Purpose. We cannot beleive you could be ignorant that all that Defence related only to the Setled Pay of the Rangers, and the building the fort at *Christanna* and Some other things there Enumerated, and that it could have no Reference to any Such Extraordinary Emergency as has happened to our Neighbours of *South Carolina*, or may happen to us by the Incursion of any Enemy whatsoever: and Especially Since in your first Address to the Governor; you assure him that you are heartily Desireous to Join your Endeavours in giving your best Advice and Assistance for the Better Security and Defence of your Country; We are therefore amazed, that y^e not only neglect the Providing for the Defence of the Country in a time of apparent Danger, but would insinuate to the People, that it must be the fault of y^e L^t Governor; if they are not well defended, he having Recieved a Sufficient ffund for that Service, when to our knowledge the Engagements entred into by the L^t Governor last Session of Assembly

Assembly eased the People above Two hundred thousand pounds of tobacco in their last years Levy, and the whole fund was Solely appropriated by the Assembly and not one farthing of it given to the L^t Governor for any other Occasion.

2^d In the Second of these Resolves, We cannot but think it Strange that you Speak of a real Intention to relieve *South Carolina*; when y^e have Shewed it no other way, but by tacking an Offer of four hundred and fifty pounds to the Repeal of the Tobacco Law: Surely y^e could not be ignorant [it is a thing So well known] that all tack'd Bills are of course to be Rejected by the Standing Rules of our House. And if y^e had had Such a real Intention to Releive *Carolina*, y^e have had time enough to do it by a new Bill without any Clog or Tack

3^d In your third Resolve, We cannot wonder enough y^e Complain So heavily of the Agents fees, and yet refused to Joyn in a Bill for lessening the Same one half upon all Crop Tobacco

4th In your fourth Resolve, tho there is a Law Ascertainning the Burgeffes Sallary, We know neither Law nor Practice either of *England* or *Virginia*, to hinder any Gentleman generously to Offer to Serve his Country gratis, and can't reconcile it, that your House, which Complains So much of the poverty of the Country Should be the first to discourage Such a generous Practice in these Gentlemen, and So frugal to the Publick.

5th As to your fifth Resolve, We can't See how the Dispute between the L^t Governor and you Should ty up your hands all this time, that you could not form one Bill to answer the good Designs of your meeting, *Vizt*, The Assistance of your Distressed Neighbours, and the Defence of the Country: there being nothing more Common in our Mother Country than to have Disputes about Priviledges, at the Same time that ways and means for the Publick Safety and Defence are diligently contrived and put in Execution

6th In your Sixth Resolve, the Libertys of the People are a Plausible Plea; but We See not how the Justices being upon their Oaths are obliged to Certify any thing they think false or Seditious, or as the Grievance of more persons than are ready to own it in their preference

7th As to your Seventh Resolve, It is not your Opinion of what is false or Seditious, but their own Judgments and Opinions, that the Magistrates upon their Oaths are to be governed by Nor if they transgress their Duty, does it follow that they are answerable at the Bar of your House, except for the breach of your [not the Peoples] Priviledges.

8th As to your Eighth Resolve, We are Sorry for the Imputation in the L^t Governors Message, that you are a Set of men obstinately bent to do nothing for the Safety and Dignity of his Majestys Government. But we are of Opinion that it is not Words but Actions that will wipe of this Imputation. If the Heathen Enemy Should fall upon us, as they have done on our Neighbours, have y^e done any one thing for our Defence? And tho in your zeal against the late Law for preventing frauds &c y^e Assert that it is no ways for the Safety, Support and Dignity of this Government, it will require Some thing more than Strong Assertions to convince the World that fraud and trash are as much for the Dignity or Interest of the Government as honesty and fair dealing. And as for the better Provision you Speak of, for the Clergy and Publick Creditors and Officers by the Bill y^e now Offered, than by the Law y^e would have Repealed: We are well Satisfied the Clergy and Publick Officers are of another Opinion, as having long Suffered by the old fraudulent way of packing and Paying away tobacco, the worst of it being commonly put upon them, tho even then, they had more unbiassed and Disinterested Judges to View it than by the Bill you prepared: Whereas by the present Law, their paym^{ts} are of equal Value with that of other People.

9th As to your Ninth Resolve, that the Refusal of the Hono^{ble} the L^t Governor to grant his Aid to Compel *Richard Littlepage* and *Thomas Butts* of *New Kent* County to appear at the Bar of your House, is a Denial of your just Rights and Priviledges, tho we are loth both to enter into a Dispute about your Priviledges, We must do the L^t Governor Right, to bear Witness that if y^e would have Separated what was your undoubted Priviledge

ledge in that matter [namely the Retaking a Prisoner that had Escaped from your Messinger] from another more Difficult point [which was the Erecting of your Selves into a Court to try Crimes and Misdemeanours at the Bar of your House] he always Declared his Readiness to Assist you with his Authority: but your Stiffly insisting on both those points was the Sole cause of his Denying you the Assistance you Desired.

10th But your last Resolve, that the Message from the Lieu^t Governor of the 27th August last contains in it undeserved and Scandalous Reflections upon the Persons and proceedings of this House of Burgeffes; is Contrived in Such haughty and indeed Scurrilous terms, and So unbecoming the respect due to his Majestys Representative, and the Gratitude the Country owes to Colonel *Spotswood* for his Vigilant and just Government, and his zeal both for his Majestys and the Countrys Service, that we are mightily Surprized at it, as Savouring more of passion than Deliberation; And We doubt, will reflect more on the breeding and good manners of the Country than Convince any indifferent person, who compares the Message and the Resolve together, that it deserved any Such harsh or disrespectful Censure. We are willing to beleive most of your House were Surprized into it, and upon Second thoughts, will be for Razing it out of your Journals that it may not Expose our undutifulness to his Majesty or ingratitude to So good a Governor to the View of Posterity

Wednesday September 7th 1715.

A Message from the Council by Mr *Robertson*

That the Council have perused and Examined the Bills Sent up by this House and are Satisfied that the Same are truly Inrolled.

A Message from the Governor by Mr *Robertson*.

Mr *Speaker*.

The Governor Commands the immediate Attendance of this House in the Council Chamber, and that you bring with you Such Bills as are ready for his Assent.

Accordingly Mr *Speaker* with the House went up to Attend the Governor in the Council Chamber where he was pleased to pass the following Bills *Vizt*.

An Act for the Encouragement of Such Persons as have gone and Shall go Voluntarily into the Service of South Carolina.

An Act for Raising a Publick Levy.

An Act Requiring the Vestry of the Parish of Henrico to build a Chappel in the Said Parish.

And then his Honour made the following Speech *Vizt*.

Gentlemen of the House of Burgeffes

It has been Practized by former Assemblies, at the Close of a Session, to give a Summary of their Proceedings; but as I question whether you have truly Considered what you have been doing, I Judge the Task would be too difficult for you to undertake, or too ungrateful for your Speaker to Deliver; I Shall therefore Spare you the Confusion of telling your own Actions, and Shall Sum them up for you, with Such faithfulness as may be proved from your Journals with Such Repentment as becomes a Governor who has at heart the Safety and Honour of his Province, and with Such Boldness as he may Venture who no ways apprehends a Charge of One unjust, Illegal or Corrupt Act during his whole Administration

I Assembled you to provide for the Security of the Country, in a most perillous Juncture, and that you might upon that Point consult the People you Represent, I plainly declared in my Writts, that it was the main Occasion of my Conveening you

At the Opening of this Session I laid that Matter before you in the most pressing terms I was Master of, and did, both then, and Since Set forth that unless you used Dispatch, you did not Serve your Country.

But as if the King of *Great Brittain's* Representative was fallen below the regard of the Representatives of the Planters of *Virginia*, neither his Writts nor his Speeches Seem to be of any Significancy with your House: Matters entirely forreign to the End for which you were called, have been first entred upon; The insolent Remonstrance of

Refractory

Refractory Indians [drawn up by a Member of your House, and presented and encouraged by others among you] has been taken into Consideration before your Governors Speech; and the Giddy Resolves of the illiterate Vulgar in their Drunken Conventions you hold for the most Sacred Dictates to your proceedings.

'Tis fit the World Should know what those People would have and what you prefer to the Defence of your Country or Relief of your Neighbours.

They tell you that those Laws Shall be Repealed which prevents Frauds in Tobacco Payments, and Refrain them from Lessening the Kings Customs by Shipping off their Traff: That those Shall be altered which oblige them to pay duely the Kings Quit Rents, or enable the Governor to Inform his Majesty of the Encrease and Decrease of the Colony: That the Act for Regulating Trade and Propagating the Christian Faith among the Indians Shall be abrogated, the School for teaching their Children be Demolished, and the Gent^{le} at whose charge it was Erected, be Banished out of *America*, and their Estates Confiscated: That Officers Fees Shall be reduced below what former Assemblies have Judged reasonable, and that they Shall not be allowed to be Distreinable: That Creditors shall be Satisfied with Such payments as the Debtors Shall think fitting to make: That in Ordering the Militia, Securing the Frontiers, Commissionating Justices and Placing Courts, the Notions of the People shall be rather followed, then the Judgment of the Kings Governor: That the power of the Crown shall be Clipt by a Triennial Bill, and by excluding all Officers in places of profit or Trust from Sitting in the Assembly.

In Short not to mention all the Ridiculous Propositions and Grievances which the Seditious or ignorant Vulgar have Set their Marks to; you are by them directed to Reverse Such Laws as the last Assembly raised upon the Basis of Religion, Justice or Honour, and to make those which will Square only with the Conveniencies of the meaner People.

'Tis fit also to remark the Countenance you have given to these Papers.

Many of them are drawn up in the hand writing of your Members, and in Violation of the Laws for Presentation of Grievances, have been Signed at Election fields, Horse Races and other drunken Meetings: your Doctrine is, that no Courts must dare to question the truth or reasonableness of them, and Justices, on pain of your highest Displeasure must Attest them, tho' even against their knowledge, to be the General Propositions and Grievances of their Countys, Nay Such Gentlemen as being on the Bench, have taken themselves to be Judges in these Cases, and refused to Act against their Consciences, you have Sent for in Custody, Voted guilty of illegal and Arbitrary doings, and you have Strenuously endeavoured to Erect your Selves into a Court of Judicature, to try and Sentence them at the Bar of your House for Misdemeanours.

Your Design, in labouring first to procure Grievances, and afterwards to Vindicate them, appears plainly enough, when you made a long train of them Serve in a formidable manner to introduce a most unrighteous Bill; and tho' you would Set forth that Three and twenty Countys expect it Should pass, yet tis evident all the Subscribers will not make up half a County: nor shall a Seditious Paper Signed by five obscure Fellows, who must have a Scribe to write all their names, ever pass with me for a County Grievance

To Shew the Regard you have for Religion; you at first Sight Rejected a Proposal for Christianizing your Slaves, but at the Same time another Proposition for Discouraging the Propagation of the Gospel amongst the Indians, was Referr'd to your Grand Committees Consideration, as if the Preaching the Gospel to the Heathen were a Crime which ought to be Refrain'd by Law. Nay and a Bill has been brought in and pass'd your House for Suppressing that Society, one of the main ends of whose Institution is, to promote Christianity among the Indians; as is manifested by the School they have Erected, the Pagan Children they have been concern'd in Baptizing, and the Subject they have chosen for their Anniversary Sermon. And I must Recommend that Bill to the Publick for a Testimony of your Truth, your Policy, your Moderation, your Reason and your Justice.

The Respect and Duty you bear to your Prince, is Display'd by the Care you take to Support his Government: by your persecuting his Commissioners of the Peace, and Assuming to your Selves the power of Judging and Punishing them for their proceedings on the Bench: by Ordering, absolutely of your Selves, his Attorney General to Commence Prosecutions: by Offering to bring his Governor and Councils Proclamation under the Censure of your House, even when you had nothing to object against the form and Substance of it: By your unparallel'd Rudeness to his Representative, when your Resolves declare in express words his Message to be Scandalous: By your aiming to be at Liberty to Defraud his Majesty in the payment of his Quit Rents: By your pretending to impose Rules upon him for the calling Assemblies and to exclude out of them all persons whom you apprehend to be Devoted to his Service: And by your Singular treatment of the only Charter that ever was granted by your Sovereign for a Member to Sit in your House; for without any Complaint of an undue Election, and even after a Resolve had pass'd that the Return had been made according to Law, you Expelled the Elected Person, who had presided for many years with Honour in your House, and kept him out Several days before any manner of hearing.

You have Set forth the Colony to be greatly impoverished by its Engagements, yet would you give no Attention to what either the People, the Council or my Self have told you of the Charge of Assemblies, which has far exceeded all the Publick Levys: And you that Complain of your Country's being reduced to the last Degree of Poverty, have provided against its being Relieved from its heaviest Burthen, by Resolving it to be Bribery for Burgesses to Serve without their Allowances, and by Expelling Gentlemen for Offering to do it.

You that Complain of the hardships in the Tobacco Law, and the Extraordinary Imposition laid thereby, have denied to take under Consideration the Councils Bill for Reducing the Agents fee to half, and for amending that Law conform to the reasonable Desires of the People: and you persist evidently to Act by a Principle, which Some of your Members have been weak enough to Declare, as well in the House as out of it, *Vizt*, that it is your business to keep the People Enemies to the Tobacco Law, and that you fear Amendments would reconcile them to it

You fain would pass for Patriots who Strive to Indulge the poorer Sort of People, yet have you refused to Ease them of a Burthen w^{ch} they very unjustly bear, for certainly the charge of Secureing a Country ought to be laid proportionably to the Estates that are to be defended: And upon this Maxim did I form my Scheme for providing the poor with Arms, and paying them by the Rich, whenever they were called from their homes to Musters or other Publick Services. But you have chosen rather to keep your old Militia Law, which obliges the men who have generally the least Stakes in the Country to be at the Expence of Arms and Ammunition and at the trouble of Attending Musters; while the wealthier Sort contribute not One farthing thereto, nor are under any Penalty for non Attendance.

Your Spending time about Bills, which you know very well could never pass, was Surely done more with regard to your own profit than the Countrys advantage. And what could you mean by Such a Composition of indefinite Sentences, as you gave me in Answer to my Speech: And afterwards when you found I questioned your Intentions, to Address me with full Assurances of your unfeigned zeal for the preservation of your Country, and Commiseration for your Distressed Neighbors; I Say, what could you mean thereby, but to engage me to keep you on foot to make your Allowances considerable: for the Event has Shewn that you never designed to provide either for the Security of the one, or for the Assistance of the other.

To deceive me Still further with an Expectation of your doing Something for the defence of the Country, you desired me to lay before you a Scheme for the better Regulating the Militia: But as if you meant only to learn my Notions thereof, that you might the more certainly Act counter to them, you upon Receipt of my Scheme gave Instructions to your Committee to draw up a Militia Bill upon a quite different foot, and after you had long kept it Depending, you destroyed it in your own House

After

After I had, at your request, Laid before you the Government of *Carolinas* Application to me for Supplys, and the Treaty I thereupon made, was there a man that pretended to fault the Same? No, you Voted £450: to enable me to Comply with it; but then I must have it upon terms which the yeilding to, would be So high an Act of injustice as would render me unworthy to be a Governor; for I must Assent to y^e Repealing a Law, upon the Faith of which at least £7000: had been Expended last year, in Store houses Wharffs and Scales and no Equivalent or Compensation made in your Act to the Persons who had Disburshed the Same.

So then all the Assistance you have given me to perform my Treaty, is a trivial Bill to excuse a few of the *Carolina* Volunteers from paying this years Levy, which I think even without Such an Act, cannot fairly be Demanded of them, Since they are not Inhabitants of this Colony. And more Strange is your Caution of enabling me to Defend your Country, when you have Rejected a Claim of Nine Shillings for the storage of Three horses, which I Sent to draw Canon to the Frontiers.

Will not the World Say it is below the Dignity of the Representative Body of the Kings first Colony, to Trick and Trifle thus with their Governor? To Assure him, on the 8th day of their Session that they are heartily desirous to Joyn their best Assistance for the better Security and Defence of their Country: To Repeat, on y^e 20th day, full Assurances of their unfeigned zeal for its preservation: and at last, on the 31st day of their Session to Resolve that it is wholly incumbent upon him to Defend it.

If I propoled to the last Assembly a more frugal Method for Securing the Frontiers, and contrived that the Same Sum which they had given to defend the Country till *January* 1714. Should Serve to Secure it until *December* 1716, Sure no Man of common Sense and Justice will from thence infer that I am bound to provide any other Safe-guard, than according to the Establishment that the Assembly made upon my Proposal.

And it is black Ingratitude in your House to insinuate, by one of your Resolves, as if I had already been Sufficiently paid for Guarding the frontiers, for both this year and the next; for I Defy even a *Conway*, a *Corbin*, or a *Marable*, to make appear that the Money and Tobacco, given by the last Assembly for the Defence of the Country for those two years, can enable me to pay one man more than what have constantly been and actually are kept on foot.

Trees are to be known by the Fruit they bear; and 'tis not your rash Resolves, but considerate Acts, that can clear you of the Imputation of being obstinately bent to do nothing for the Safety and Dignity of his Majestys Government; and now after a Session of thirty Six days I challenge you to tell me of one Single thing you have done for the benefit of the Same

And when you deny to give any thing towards Defending his Majestys Government, is it a time to ask to be at Liberty to defraud your Sovereign of Thousands of Pounds in his Quit Rents?

When the Publick Levy, which you have now laid is but 71230½^{lis} of tobacco And the Burgeffes Allowances for this Session, with the Officers, amount to above 338000 is there any Motive to the Crown to yield to be tyed up to frequent Assemblies?

And now after Such an Expence, pray Mr *Speaker*, what Acts is your Assembly to be Recorded for? none truly that will be Admitted into the Statute Books: for the Three inconsiderable ones which I have now passed, are only private and Temporary Acts.

Considering the Length of your Session, and the general accord in your House, where you have not had above five or Six Gentlemen who have withstood your proceedings; 'tis Strange that you have not been able to fall upon any just Measures, to Redress the mighty Grievances you came fraughted with, or to frame one Bill of Moment, which y^e Council could in reason Pass

The Opinion of this Body must have great weight with me, who know with what Deliberation and Temper they have handled your Bills, how truly Desirous they have been to Redress real Grievances, and how zealous to bring you into Measures for that

purpose

purpose, which might be agreeable to Justice, Honour and the Publick Welfare of their Country.

This Body of Gentlemen, as well as those few among you, who have all along dissented from your wild Proceedings, must be allow'd to have far greater concerns in *Virginia*, than all the Grand Governing Body of your House; So cannot be Suspected of having less at heart, than you, the Interest of the Country; and considering their parts and Stations, I must acknowledge them to be the best Judges thereof.

But to be plain with you, the true Interest of your Country, is not what you have troubled your heads about; all your proceedings have been calculated to Answer the Notions of the ignorant Populace; And if you can Excuse your Selves to them, you matter not how you Stand before God, your Prince, and all Judicious men, or before any others to whom, you think, you owe not your Elections.

The new Short Method you have fallen upon, to Clear your Conduct by your own Resolves, will prove this Censure to be just: for I appeal to all rational men who shall Read the Assembly Journals, as well of the last Session as of this whether Some of the Resolves of your House of the 2^d Instant, are not as wide from Truth and fair Reasoning, as others are from good Manners.

In fine, I cannot but Attribute those Miscarriages to the Peoples Mistaken Choice of a Set of Representatives, whom Heaven has not generally endowed with the Ordinary Qualifications requisite to Legislators; for I observe that the Grand ruling Party in your House, has not furnished Chairmen for two of your Standing Committees [Priviledges and Claims] who can Spell *English* or Write Common Sence; as the Grievances under their own hand writing will manifest. And to keep Such an Assembly on foot, would be Discrediting a Country that has many able and Worthy Gentlemen in it; and therefore I now Dissolve you.

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JOURNALL

OF THE

HOUSE OF BURGESSES

AT A

GEN^{LL} ASSEMBLY

Begun at the Capitol the Twenty Third day of
April In the fourth year of the Reign of our
Soveraign Lord GEORGE King of *Great Brittain*
France and *Ireland* Anno^q Dom. 1718



RICHMOND, VIRGINIA.

MCMXI.

JOURNALL

of the

HOUSE OF BURGESSES.

Wednesday. April the 23^d 1718

THE Members present to the number of forty three having taken the Oaths and made and Subscribed the Declaration and taken the Oath of Abjuration according to the Laws made for those purposes mett in the House—

Thomas Eldridge having taken the Oaths by Law appointed and Subscribed the Test was by virtue of a Commission from the Hon^{ble} the Lievt Govern^r Sworn Clerk of the House of Burgesses and admitted to his place in the House accordingly.

A Message from the Hon^{ble} the Lievt Governour by *Mr Robertjon*
Gent^l of the House of Burgeffes.

The Governour Commands your immediate Attendance in the Council Chamber Accordingly the House went up to attend the Govern^r And he was pleased to Say to this Effect.

Gentlemen

I am well pleased with the Generall Choice the Country has made of their Representatives before wee proceed to any Businefs it is necessary your House have a Speaker And I shall Leave it to your choice to Elect Such a person as you think equal to that Trust. Accordingly the Burgesses returned to their House and proceeded to the choice of a Speaker and after Some time, the House *Nemine contra dicente* made choice of *Mr Daniel McCarty* for their Speaker who was conducted and placed in the Chair—

Ordered That *Mr Corbin* *Mr Cushtis* *Mr Eskridge* *Mr Randolph* *Mr Diggs* *Mr Baylor* *Mr Merrywether* *Mr Blair*, *Mr Bolling*, *Mr Presly* *Mr Willis* and *Mr Johnson* attend the Governour and acquaint him that this House have made choice of a Speaker and to know his pleasure when the House Shall wait upon him to present him—

Mr Corbin reported that the persons appointed had (according to order waited on the Governour and Acquainted him that this House had made choice of their Speaker and that they waited his pleasure to know when they should present him, and the Governour was pleased to appoint tomorrow morning at Eleven a Clock in the Council Chamber

And then the House adjourned til to morrow morning Ten a Clock.—

Thursday April the 24th 1718

A MESSAGE from the Hon^{ble} the Lievt Governour by *Mr Robertjon*
Mr Speaker and Gent^l of the House of Burgeffes

The Governour commands your immediate attendance on him in the Council Chamber and Accordingly the House went to attend the Governour. And being returned *Mr Speaker* acquainted the House to this Effect. That he had represented to the Governour. That the House had been pleased to make choice of him to be their Speaker which was by the Governour approved off, And that thereupon

in

in the Name of the Burgeffes he humbly moved that all the antient Rights and Privileges of the Burgeffes might be continued to this Affembly. That they and their Servants in their perfons and Eftates might be free from Arrests and other Disturbances, that in all their Debates they might have freedom and Liberty of Speech and as Occasion requires accefs to his Honours perfon and that thereupon his Honour was pleased to Say they were all granted.

After which Mr *Speaker* further acquainted the Houfe that the Govern^r was pleased to make a Speech and that the fame being long he had obtained a Copy thereof which he read and then delivered in at the Table where the Same was again read and is as follows

Gentlemen of the Affembly

Such is the happy State of your Country that you are not now convened to raife Supplis to defend your Eftates, or to Support the Government but rather to find out the beft waies and meanes to Difpofe of the greateft Bank of money that ever was at One time in the Publick Treafury of Virginia. Nor has this been paid in by the Taxable Inhabitants of the Colony but arifen by Duties laid on Forreign Importations and Neighbouring Provinces muft Envy *Virginia's* Eafe from Publick Levys when they fhall know that Eighty three pounds of Tobacco per pole is the Totall Summe that has been levyed on her People by all the Acts of Affembly for Eleven yeares paft—

Your gratefuleft acknowledgments are moft juftly due to the Ruler of the Univerfe for the prefent Bleffings you enjoy of a very flourishing Eafie and peacefull Condition, never was the produce of your Lands and Peoples Labours more in Demand or afforded larger Returns, never were your Publick Taxes more moderate the yearly Levy in former times having often been above one hundred [⁊] poll and never did your frontiers continue under a more perfect tranquility with refpect to the Indians than for thefe four yeares paft—

Confider your Southern Neighbours to know your own happinefs, See how they are involved in Debt by Indian Warrs and cruelly harraffed by heathen Enemys, who have it Equally in their power to annoy us. I can remember the times you Laboured under worfe Circumftances when in the firft years of my Adminiftration your cheif Manufacture inftead of Supporting the Planters family, ufually brought him in debt. when Warr was Judged the only means to preferve this Colony and when a Bill was formed to raife Twenty Thoufand pounds for carrying it on. Reflect who reftained you then from that violent proceeding. And if I have procured your welfare by other meafures and Saved you an Expence of Blood and Treafure, they muft be Strangely perverfe who can continue to Clamour when their Country profpers, meerly becaufe it has not been refcued after their fancys I hope you will think fit to purfue the Steps I have taken to compafs thefe happy ends for to be carelefs of Engagements a Governour has entred into for your Sakes may prove more pernicious to you and your Pofterity than it can be Difhonorable to him. A Difappointed Indian being a Dangerous perfon and no people in the world more apt than they to revenge Breach of Treaty—

The five United Nations of Indians to the Norward have Shewn A Difpofition to break with us And the Indians under the Protection of this Government, telling us plainly (in their phrafe) that the Covenant Chain formerly made with my Lord *Howard* is grown rufty and wants to be brightened, and a confiderable Body of them were actually on their march to infest our Frontiers when I the laft fall haftened away to *New York* to prevent the Evil Confequences of their nearer approach and Some Preliminaries for that purpofe have been offered which fhall be laid before you And I fhall leave it to your Confultations to determine whether any further meafures fhall be taken to preferve thofe Peoples Friendfhip—

But let me tell you that if a Treaty be Sett on foot the Indians infift upon having it carryed on at *Albany*. and no man goes on Publick Embaffys more than a Warfare at his own Charges, neither can any reafonable man think it juft that the many Expensive

penfivc and fatiguing Expeditions I have undertaken purely for the Countrys Service fhould be defrayed by my own private Purfe—

It is the Kings Pleafure that I fhould communicate to you an Additional Inftruction relating to Aëts of Affembly which may affect the Trade and fhipping of *Great Brittain* and in laying before you the Order for Repealing the late Aët which refpected the Indian Trade you will alfo know what I have further in Command from his Maj^{ty} to recommend to you—

Gentlemen

I have had the happynefs of a good Agreement with former Affemblys even when there were neceffitys and Troubles to perplex and ruffle their Tempers and now that you have abundant reason to be eafye in your Countrys peacefull State, to be cheerfull under your own Thriving Circumftances and to be Joyfull for his prefent Majefties Auspicious Raigh, it muft be allowed that wee have in this meeting Stil a better foundation for Harmony. and as I am entirely difpofed to keep up a good understanding with you, I hope you will be cautious of being any waies mifled and will aët as if you Sincerely defired to Second this Intention of mine—

Refolved That this Houfe will take the Said Speech into confideration on *Tuefday* next

The Petition of the Reverend *Hugh Jones* Clerk praying to be admitted Chaplain to the Houfe was read. And thereupon

Ordered That he be accordingly admitted—And

That he attend in the Conference room every morning at Eight of the Clock and read Divine Service—

Severall other Members took the oaths and made and Subfcribed the Declaration and took the Oath of Abjuration according to the Laws made for thofe purpofes—

The Severall Petitions of *Edward Dyer, William ffancis, Ezekiel Gilbert William Wager John Anderfon, John Chaucey Alexander McGregor James Pitman* and *Anthony Baker* were Severally read praying to be admitted Doorkeepers to this Houfe And thereupon

Ordered. That the Said *Edward Dyer, William ffancis Ezekiel Gilbert* and *William Wager* be admitted Doorkeepers, and that they give their refpective attendance on the Houfe this Seffion—

A Committee for Eleëtions and Priviledges

Mr *Eskridge* Chairman

Mr *Prefly*.....Mr *Grimes*

Mr *Griffin*.....Mr *Willis*

Ordered That Mr *Miles Cary* be Clerk of the Said Committee and give his attendance accordingly—

Ordered That the Clerk of the Houfe deliver to the Chairman of the Committee for Eleëtions and Priviledges the Severall writts for Eleëtion of Burgeffes which fhall come to his hands, and that the Said Committee take into their confideration the Severall Returnes thereon, and make report of their proceedings and Opinions therein to the Houfe—

A Committee for Publick Claimes

Mr *Harrifon* Chairman

Mr *Barber*.....Mr *Diggs*

Mr *Neal*.....Mr *Goodrich*

Mr *Bujh*.....Mr *Johnfon*

Mr *Baylor*.....Mr *Bolling*

Mr *Broadnax*.....Mr *ffitzhugh*

The Petition of Mr *Miles Cary* praying to be admitted Clerk to the Com^{tee} of Claimes being read

Ordered That he be admitted Clerk to the Said Committee and that he give his attendance accordingly—

A Committee for Propositions and Grievances

Mr Corbin Chairman

Mr Marrable.....Mr Randolph
 Mr Merriwether.....Mr Jenkins
 Mr Conway.....Mr Jones
 Mr Burwell.....Mr Blair
 Mr Eskridge.....Mr Braxton

The Petitions of Mr Godfrey Pole and Mr Mathew Kemp each praying to be admitted Clerk to the Committee of Propositions and Greivances were Severally read And there-upon.

Ordered That Mr Godfrey Pole be Clerk to the Com^{tee} of Propositions & Greivances and that he give his Attendance accordingly—

Ordered That the Com^{tees} have power to adjourn themselves *de die in diem* and to Send for persons Records Journalls and other Papers they shall from time to time have Occasion of—

Resolved and accordingly *Ordered*

That all Propositions Greivances and Publick Claimes be brought into the House on *Tuesday* the Twenty ninth day of this Instant *April* at furthest or not to be received in this Session of Assembly without perticular leave of the House—

Ordered That the Clerk of the House Publish the furthest time Set by the House for receiving propositions Greivances and Publick Claimes during this Session by Setting up a fair Copy of the Resolve of the House made in that behalf.

Upon a motion made after a Debate, the question was put.

That Instructions be given the Committee of Elections and Priviledges to inspect the Journall of this House at the last Session and report what is necessary to be further considered this Session relateing to a Breach of y^e Priviledges of that House

It past. In the Negative

Ordered That the Committee of Propositions and Greivances Inspect the Journal of the last Session and report to the House what they find necessary to be taken into consideration this Session—

Ordered That the Committee for Publick Claimes inspect the report of the Said Committee at the last Session and report to the House what they find necessary to be further considered this Session—

The Orders of the House for last Session being read at the table—

Resolved That the House do approve of the Same and that they shall continue Orders for this Session—

Ordered That the Said Orders lye constantly upon the table for every Members Perusal

Ordered That the House be called over as often as shall be thought convenient and that those Members who shall be wanting in their Duty of attendance be lyable to the Censure of the House—

Resolved and accordingly *Ordered*.

That it be a Standing Rule of this House that fifteen member with the Speaker be a Sufficient Number to adjourn

And then the House adjourned til to morrow Morning ten a Clock.—

Fryday April the 25th 1718

SEVERALL Publick Claimes from the Countys of

Middlesex.....New Kent
 Henrico.....Richmond
 King & Queen.....King William
 Charles City.....Prince George
 Elizab City.....James City
 Warwick.....York.
 Gloucester

were presented to the House and referred to the consideration of the Com^{tee} for Publick Claimes to Examine the Subject Matter thereof and report the Same with their Opinions therein to the House

A Claime of *Henry Tyler* Sherriff of *York* County for his attendance at the Generall Court was presented to the House and referred to the Consideration of the Committee for Publick Claimes to Examine the matter thereof and report the Same with their Opinions therein to the House.

A Claime of *Tho. Nutting* sherif of *York* County for his Attendance at the Gen^l Court was presented to the house & referred to the Consideration of the Committee for pub^l. Claims to Examine the matter thereof & report the Same wth their Opinion therein to the House

A Proposition from Severall of the Inhabitants of *New Kent* County was read and after a Debate, the Question was put.

That the Said Proposition shall be committed to the Committee of Propositions and Greivances

Resolved In the affirmative—And thereupon—

Ordered That the Consideration of the Said Proposition be referred to the Com^{tee} of Propositions and Greivances to report their Opinions therein—

A Grievance from the County of *Richmond* was read and referred to the consideration of the Committee of Propositions and Greivances to report their Opinions therein Upon a Motion made

Ordered That *Mr Cole* and *Mr Grymes* be added to the Committee of propositions and Greivances

The Commiffion of *Mr James Sherles* to be Messenger to this House was read

Mr Jenkins moving for leave to be absent from the Service of the house til *Tuesday* next. Leave is accordingly given him—

And then the House adjourned til to morrow morning ten a Clock

Saturday April the 26th 1718.

SEVERALL Publick Claims from the Countys of *Norfolk* and *Ifle of Wight* were presented to the House and referred to the Consideration of the Committee for Publick Claimes to Examine the Subject Matter thereof and report the Same with their Opinions therein to y^e house

The Petition of *William Kemball* praying an Allowance as Interpreter to the *Sapony* and other Indians was read and referred to the consideration of the Committee for Publick Claimes to Examine the matter thereof and report the Same with their Opinions therein to the House

A Greivance from the County of *Norfolk* was read and referred to the Consideration of the Com^{tee} of Propositions and Greivances to report their Opinions therein—

The Petition of *Harry Beverley* and others desireing a Law may be passed for building a Bridge over the *Dragon* Swamp was read and referred to the Consideration of the Committee of Propositions and Greivances to report their Opinions therein—

Mr Eskridge from the Committee of Elections and Priviledges reported that the Said Committee had taken into consideration the Severall Returns on Some of the writts committed to them and therein had come to Severall resolutions which he read in his place and then delivered them in at the Table where being again read the House took the Same into immediate consideration and part of the Said report being agreed to with an Amendment—

Resolved That *Mr William Randolph* and *Mr John Bolling* are duely returned Burges-
ses to Serve in this present Gen^l Affembly for the County of *Henrico*—

Resolved That *Mr Edward Goodrich* and *Mr Robert Hall* are duely returned Burgeffes to Serve in this present Generall Affembly for the County of *Prince George*—

Resolved

Resolved. That M^r Henry Harrison and M^r Samuel Thompson are duly returned Burgeffes to Serve in this present Generall Affembly for the County of Surry—

Resolved. That M^r William Bridger and M^r Arthur Smith are duly returned Burgeff^s to Serve in this present Gen^l Affembly for the County of Isle of Wight—

Resolved. That M^r John Lear and M^r James Reddick are duly returned Burgeffes to Serve in this present Generall Affembly for the County of Nanfemond

Resolved. That M^r William Crafford and M^r Willis Wilfon are duly returned Burgeffes to Serve in this present Generall Affembly for the County of Norfolk.

Resolved. That M^r Maximilian Boufh and M^r Horatio Woodhouse are duly returned Burgeffes to Serve in this present Generall Affembly for the County of Princess Anne—.

Resolved. That M^r Henry Jenkins and M^r Thomas Wyth are duly returned Burgeffes to Serve in this present Generall Affembly for the County of Elizab. City.

Resolved That M^r William Cole and M^r Cole Diggs are duly returned Burgeffes to Serve in this present Generall Affembly for the County of Warwick.

Resolved. That M^r William Barbar and M^r James Burwell are duly returned Burgeffes to Serve in this present Generall Affembly for the County of York.

Resolved That M^r William Broadnax and M^r George Marrable are duly returned Burgeffes to Serve in this present Generall Affembly for the County of James City—

Resolved. That M^r John Stith and M^r Francis Hardyman are duly returned Burgeffes to Serve in this present Generall Affembly for the County of Charles City—

Resolved. That M^r Nicholas Merrywether and M^r John Stanup are duly returned Burgeffes to Serve in this present Gen^l Affembly for the County of New Kent.

Resolved That M^r Thomas Johnson and M^r Orlando Jones are duly returned Burgeffes to Serve in this present Gen^l Affembly for the County of King William.

Resolved. That M^r John Baylor and M^r George Braxton are duly returned Burgeffes to Serve in this present Generall Affembly for the County of King and Queen—.

Resolved. That M^r Gawin Corbin and M^r John Grymes are duly returned Burgeffes to Serve in this present Generall Affembly for the County of Middlesex

Resolved That M^r John Hawkins and M^r William Daingerfield are duly returned Burgeffes to Serve in this present Generall Affembly for the County of Effex

Resolved. That M^r William Woodbridge and M^r Thomas Griffin are duly returned Burgeffes to Serve in this present Generall Affembly for the County of Richmond—

Resolved That M^r Daniel McCarty and M^r George Escriage are duly returned Burgeff^s to Serve in this present Gen^l Affembly for the County of Westmoreland

Resolved That M^r Edwin Conway and M^r James Ball are duly returned Burgeffes to Serve in this present Generall Affembly for the County of Lancaster.

Resolved. That M^r Peter Presley and M^r Christopher Neal are duly returned Burgeffes to Serve in this present Generall Affembly for the County of Northumberland

Resolved That M^r Archybold Blair is duly returned a Burgefs to Serve in this p^rsent Generall Affembly for James Town—

Resolved That M^r John Custis is duly returned a Burgefs to Serve in this present Generall Affembly for the Colledge of William and Mary—

Ordered. That the Committee of Elections and Priviledges inquire into the right the President and Masters have to Elect a Burgefs for the Said Colledge and report the Same to this Houfe—

Ordered That the Consideration of the report of the Said Committee made on the Return of the Writt for Election of Burgeffes for the County of Gloucester be referred—

Resolved That the Return of the writt for Election of Burgeffes in the County of Stafford is not made according to Law And therefore

Ordered.—That the Sherrif or Under Sherrif of the Said County do appear to amend the Said Return on this day fortnight at farthest of which the Burgeffes of the Said County promise to give the Said Sherif notice—

And then the Houfe adjourned til Monday Morning Ten a Clock.—

Monday

Monday April. 28th 1718

THOMAS Eldridge having resigned his Commission of Clerk of the House of Burgeffes and John Randolph having taken the Oathes by Law appointed and Subscribed the Test, was by virtue of a Commission from the hon^{ble} the Liev^t Governour Sworn Clerk in his Stead & admitted to his place in the House accordingly.—

A Message from the Hon^{ble} the Liev^t Govern^r by Mr Robertfon—

Mr Speaker

I am commanded by the Governour to lay before this House his Majestys Additionall Instructions concerning passing of Laws which may affect the Trade and Shipping of Great Britain, His Majestys Order in Council for repealing the Acts made for preventing frauds in Tobacco payments and for the better regulation of the Indian Trade, as also the Preliminaries necessary to be conceded by the Indians of the five nations to the Govern^t of Virginia before any formall Treaty for renewing the Covenant Chain, being Severall Papers referred to by his Honours Speech to this House which were read and ordered to lay on the Table—

Resolved. That this House will take the Said Papers into consideration to morrow with the Governours Speech.

Then the House adjourned til to morrow Morning Ten a Clock

Tuesday April 29th 1718

THE Petition of Richard Buckner late Clerk of the House of Burgeffes praying to be allowed for four Copies of the Journalls of the last Assembly, and, four Copies of the Lawes delivered to the Governour and alsoe for One Copy of the Laws given into the Secretarys Office was read—

Ordered That the Said Petition be referred to the Consideration of the Committee for Publick Claimes to Examine the matter thereof and report the Same with their Opinions thereon to the House—

Severall Publick Claimes from the Countys of

Surry.....Stafford

Elizab: City.....Accomack

were presented to the House and referred to the Consideration of the Committee for Publick Claimes to Examine the Subject Matter thereof and report the Same with their Opinion thereon to the House—

The Claimes of John Broadnax Keeper of the Country goal were presented to the House and referred to the Committee for Publick Claimes to Examine the matter thereof and report the Same with their Opinion thereon to the House—

Resolved. That the Return of the writt for Election of Burgeffes in the County of Gloucester is illegally made and.

The House being informed that the Sherif of the Said County attended at the Door and prayed to be admitted to amend his return

Ordered. That the Said Sherrif be admitted to the Barr of the House and that he amend his Said return, and being admitted accordingly amended his Return and then withdrew—

Severall other Members took the Oathes and made and Subscribed the Declaration and took the Oath of Abjuration according to the Lawes made for those purposes.—

The House according to Order proceeded to take into consideration the Governours Speech and the Same being read.—

Upon a Motion made—

Resolved That this House will resolve it Self into a Committee of the whole house to consider the Said Speech, And the House accordingly Resolved it Self into the Said Committee

Committee and after Some time Spent therein Mr *Speaker* resumed the Chair and Mr *Randolph* reported from the Said Committee that they had come to Some resolutions which he read in his place and delivered in at the Table. where the Same were again read And (with Some amendments) agreed unto by the House and are as follows *viz*’.

Resolved That that part of the Governours Speech relating to the Disposall of the Bank of Money in the Publick Treasury be referred to be considered after the Treasurers Accounts are laid before this House—

Resolved That an Address be prepared giving the Governr the Thanks of the House for the kind Expressions in his Speech whereby he hath Signified his Disposition to keep up a good Understanding with the House and to assure his Honor that this House Sincerely Desires to Second that intention of his, and for answering Such other parts of the Said Speech as are proper to be answered by way of Address without first coming to Resolutions thereupon and to Acquaint his Honour that this House will vse the utmost of their Diligence in answering the Said Speech—

Then Mr *Randolph* acquainted the House That the Committee of the whole House had directed him to move for leave to Sit again to consider further of the Governrs Speech And thereupon—

Resolved That the House will again resolve it Self into a Committee of the whole house to consider further of the Said Speech—

Ordered That Mr *Treasurer* lay before the House Accounts of the money in the Publick Treasury on *Thursday* next

Ordered That the Comtee of Propositions and Greivances do prepare and bring in an Address to the Governr according to the Resolution of the House.

Severall Greivances from the Countys of

Prince George.....*New Kent*

Charles City.....*King & Queen*

James City.....*Middlesex*

Northampton

being refer’d from the Council were read and refer’d to the consideration of the Comtee of Propositions and Greivances to report their Opinion therein—

Propositions from the County of *King William* to revive the late Act made for preventing frauds in Tobacco payments with Some Amendments, being refer’d from the Council were read and upon a motion.

Ordered That the said Propositions be rejected.

The Petition of *Henry Briggs* praying an Allowance as being Interpreter to the *Nottoway*. *Maherin* and *Nansemond* Indians being refer’d from the Council was read and refer’d to the Committee for Publick Claimes to Examine the Matter thereof and report the Same with their Opinion thereon to the House—

The Petition of *James Adams* praying an allowance as having been Interpreter to the *Pomonkey* and *Chichohominy* Indians Two yeares and a half, being refer’d from the Council was read and referr’d to the Comtee for Publick Claimes to Examine the matter thereof and report the Same with their Opinion thereon to the House—

Mr *Eskridge* from the Comtee of Elections and Priviledges reported that the Said Committee had taken into consideration Severall matters to them referred and therein had come to Some resolutions, which he read in his place and delivered in at the table where they were again read.

Then the House proceeded to the Immediate Consideration of the Said Report and part thereof was agreed to and is as follows—

Resolved That Mr *Tully Robinson* and Mr *Solomon Ewele* are duly returned Burgeffes to Serve in this present Gen^l Affembly for the County of *Accomack*—

Resolved That Mr *Willm Waters* and Mr *Charles floyd* are duly returned Burgeffes to Serve in this present Generall Affembly for the County of *Northampton*—

Then upon consideration of that part of the Report of the Comtee of Elections and priviledges relating to the Right the President and Masters of the Colledge of *William* and *Mary* have to Elect a Burgefs in this present Gen^l Affembly for the Said Colledge

A Debate arising after some time spent therein
The Question was put. That the Debate be adjourned
Resolved in the Affirmative and thereupon

Ordered. That the Said Debate be reaffumed to morrow at twelve A Clock—

Ordered That the President and Masters of the Said Colledge have Leave to be heard to morrow at the Barr of the House by Council or otherwise touching their Right to Elect a Burgefs to Serve in this present Gen^l Assembly for the Said Colledge—

Then the House adjourn'd til to morrow morning ten a Clock—

Wednesday 30th April 1718.

THE Order of the Day being read for the President and Masters of the Colledge of *W^m and Mary*, to be heard by Council or otherwise touching their Right to Elect a Burgefs to Serve in this present Generall Assembly for the Said Colledge— the President of the Said Colledge was called in and heard upon that matter and then withdrew—

After a Debate and Some time Spent therein, the Question was put That the Report of the Com^{tee} of Elections and Priviledges be agreed to—

Resolved In the affirmative and thereupon—

Resolved That Mr *John Custis* is duely Elected a Burgefs to Serve in this present Generall Assembly for the Colledge of *W^m and Mary*—

Mr *Orlando Jones* moving for leave to be absent from the Service of the House for Some time It is accordingly given him—

Severall Claimes from the Countys of *Princes Anne* and *Nansemond* were by Leave of the House presented and referr'd to the Committee for Publick Claimes to Examine the matter thereof and report their Opinion thereon to the House

The Petition of *Susan Allen* praying to be allowed for a Negro man killd by *David Cunningham* in defence of himself, was by Leave of the House, presented read and referred to the Committee for Publick Claimes to Examine the matter thereof and report their Opinion therein to the House—

Then the House adjourned til to morrow morning Ten a Clock—

Thursday. May the first 1718

MR *Corbin* reported from the Com^{tee} of propositions and Greivances that they had (according to order) prepared an Address to the Govern^r which he read in his place and then delivered in at the table, where the Same was again read and with Some Amendments) agreed to by the House and is as follows

To the Hon^{ble} Alexander Spotswood his Majestys Leiv^t. Governo^r of Virginia
The humble Address of the House of Burgeffes
May it please yo^r Hono^r.

Wee his Majestys most Dutifull and Loyall Subjects the Burgeffes assembled with most thankfull hearts acknowledge the Divine Goodness for the Blessings we Enjoy in our present Peacefull and flourishing Condition

And as we have also the greatest reason to blest the Almighty for the many benefits received under his Majestys most Auspicious Reigne So we think our Selves in Duty Bound to return our humblest thanks to his most Gracious Majesty for his great care of our Trade and Encouragement of our Manufactures upon which the welfare and happiness of this Colony in so great a measure depends.

Wee acknowledge the prudent Conduct of the Government, by whose wholesome Councils and Endeavours the happiness and tranquility of our Country hath been So wisely preserved—

Wee

Wee return Yo^r Honour our hearty thanks for the kind Expression of your Disposition to keep up a good understanding with this House and do assure you that nothing on our parts shall be wanting to Second Yo^r good Intention which Wee hope may be Improved by our mutual Endeavours to Redress our just Greivances, to Secure our Antient Rights and Priviledges and to Establish Such a harmony in our proceedings as may shew to latest posterity, That all Repentments are Sacrificed to the Publick Interest And we further assure Yo^r Honour That wee will with the utmost diligence and application take into our Consideration the other parts of your Speech that relate to those Papers you were pleased to lay before us

Ordered That the Said Address be fairly transcribed and Signed by Mr *Speaker*.

Ordered That the Committee of Propositions and Grievances and for Publick Claimes present the Same to the Governour—

Then the House adjourned til to morrow morning ten a Clock

Fryday May the 2^d 1718

MR *Crafford* and Mr *Braxton* moving for leave to be absent from the Service of the House til *Tuesday* next

It is accordingly granted them—

Mr *Conoway* moving for leave to be absent from the Service of the House til *Thursday* next it is accordingly granted him—

The Petition of *Thomas Custis* praying to be allowed for transporting three Runaway Negro's over *Chesapeak* Bay to *Elizabeth City* was (by the Leave of the House) presented and read.—

Ordered That the Said Petition be refer'd to the Committee for Publick Claimes to Examine the matter thereof and report the Same with their Opinion thereon to the House—

The Petition of *Miles Cary* praying to be allowed for three Copys of the State of the Publick Tobacco Accounts of the last Session was by leave of the House presented read and referred to the Committee for Publick Claimes to Examine the matter thereof and report the Same with their Opinion thereon to the House.

Severall Greivances from the County of *Accomack* being referr'd from the Council were read and referr'd to the Com^{tee} of Propositions and Grievances to report their Opinions therein—

Mr *Corbin* from the Com^{tee} of Propositions and Grievances reported that the Said Committee had taken into consideration Severall of the matters to them referred and therein had come to Some resolution which he read in his place and deliver'd in at the Table where being again read the House proceeded to the Immediate consideration of the Same—

And upon consideration of the report of the said Committee made upon the Greivance from *Richmond* County for dividing the Said County

The House agreed to the said report *viz*.

Resolved. That the Same be rejected—

And upon consideration of the report of the said Committee made on the Grievance from *Norfolk* County for ascertaining the Price of Pitch and Tarr for payment of Publick Levys.

The House agreed to the Said report *viz*.

Resolved. That the same be rejected.

And upon consideration of that part of the Greivance of the Countys of *New Kent Middlesex, Norfolk, Charles City, James City and King* and *Queen* for ascertaining Secretaries, Sherifs, Clerks and other Offycers fees.

The House agreed to the Said report *viz*.

Resolved. That a Bill be prepared and bro^d in to ascertain the Said fees.

Ordered

Ordered. That it be referred to the Committee of Propositions and Greivances to prepare and bring in the Said Bill—

And upon consideration of the report of the Said Committee made on the Greivance from *King and Queen* relating to Surveyors of the Highwayes complaining of their having been fined without ever being Sumoned or heard before a Justice and that the Law relating to Highwayes may be amended—

The House agreed to the Said report *viz'*.

Resolved. That the Same be rejected.

And upon consideration of the report of the Said Committee made on the Greivance from the Said County relating to Slips and Seconds Also upon consideration of the report of the Said Committee made on the Greivance from the Said County relating to the Shipping of Tobacco Stalks and Stems

The House agreed to the said report *viz'*.

Resolved. That the Same be rejected—

And upon consideration of the report of the Said Committee made on the Proposition from *King and Queen and Middlesex.*

That Lawyers fees be added to the Bill of Cofts

The House agreed to the Said report *viz'*.

Resolved. That the Same is reasonable. And thereupon

Ordered That it be added to the Bill for ascertaining Offycers fees.

And upon consideration of the report of the said Committee made on the Greivance from *Prince George County* for the better regulating the Parishes of *Westopher* and *Weynoak.*

The House agreed to the Said report *viz'*.

Resolved. That a Bill be prepared and brought in to consolidate those parts of the said Parishes on the South side *James River* with the Parish of *Merchants Brandon*—

Ordered That it be referr'd to Mr. *Harrison*, Mr. *Stith*, Mr. *Hardyman* Mr. *Goodrich* and Mr. *Hall* to prepare and bring in the Said Bill—

And upon consideration of the report of the Said Committee made on a Greivance from *Charles City County* for Enlarging the Bounds of *Westopher Parish.*

After a Debate the Question was put.

That the Report of the Said Committee be agreed to

It past in the Negative. And thereupon

Resolved. That the Said Greivance be rejected.

And upon consideration of the report of the said Committee made on a Greivance from *Charles City County* for inlarging the said County

The House agreed to the said report *viz'*.

Resolved That the Same be rejected

Mr *Corbin* acquainted the House That the Address of this House had been presented to the Governour and that he was pleased to return the following Answer Tell your House of Burgeffs I give 'em thanks for their Address—

The Petition of *Michael Meggison* praying to be Enabled to Sell certaine Lands devised to him in Tail in consideration of Setling other Lands of greater value to the Same Ufes was by leave of the House presented and read—

Ordered. That it be referred to Mr. *Willis*, Mr. *Buckner* and Mr. *Merrywether* to Examine the Subject matter of the Said Petition and report the Same with their Opinion thereon to the House—

The House Resolved it Self into a Committee of the whole House to consider further of the Governrs Speech, And after Some time Spent therein Mr *Speaker* resumed the Chair and Mr *Randolph* reported from the Said Committee That they had come to a Resolution which he read in his place and delivered in at the Table where the Same was again read and agreed unto by the House and is as follows.

Resolved. That an Address be prepared to the Governour desiring him to inform the House in what manner the Indians to the Norward have shewn a Disposition to

break

break the Covenant made with them by the Lord *Howard* and that he will cause the Said Covenant to be laid before the House with what other Engagements has been Entred into with the Indians for the Welfare of this Country And that he will also be pleased to Inform this House what Expensive and fatiguing Expeditions he has undertaken purely for the Countrys Service with the Charge thereof—

Then Mr *Randolph* acquainted the House that the Committee of the whole House had directed him to move for leave to Sit again to consider further of the Govern^rs Speech. And thereupon—

Resolved. That the House will again resolve it Self into a Committee of the whole house to consider further of the Said Speech—

Ordered That the Com^{tee}s of Propositions and Greivances prepare the Said Address to the Governour—

Mr *Treasurer* according to order laid before the House his Accounts of the Publick Revenue

Ordered. That Mr *Corbin* Mr *Grymes* Mr *Harrison*, Mr *Baylor* and Mr *Bolling* Examine the Said Accounts and report there opinion thereon to the House—

Then the House adjourned til to morrow morning ten a Clock

Saturday May the 3^d 1718

MR *Corbin* reported from the Committee of Propositions and Greivances That they had (according to order) prepared an Address to the Govern^r which he delivered in at the Table, where the Same was read and agreed to by the House and is as follows—

To the Hon^{ble} Alexander Spotswood his Majestys Leiv^t Gov^r of Virginia—

The humble Address of the House of Burgeses.

May it please yo^r Hon^r.

Wee his Majestys most Dutifull and Loyall Subjects the Burgeses assembled having taken into our consideration that part of your Speech relating to the Indians Do humbly intreat yo^r Hon^{rs} will be pleased to inform this House in what manner those to the Nor^{ward} of this Country have shewn A Disposition to break the Covenant made with them by the Lord *Howard* And that you will please to order the Said Covenant to be laid before us; Together with what other Engagements have been entred into with the Indians for the welfare of this Countrey—

And we further desire your Honour will be pleased to informe this House. what Expensive and fatiguing Expeditions you have undertaken purely for the Service of this Colony together with the Charges thereof—

Ordered That the Said Address be fairly transcribed and Signed by Mr *Speaker*

Ordered That Mr *Miles Cary* attend the Committee appoynted for Examining the Treasurers Accounts as Clerk to the Said Committee—

The House being informed that the Under Sherrif of *Stafford* attended at the Door and prayed to be admitted to amend the Returne of the writt for Election of Burgeses for the said County.

Ordered That the Said Under sherrif be admitted to the Barr of the House to amend the said return, and being admitted he amended the Same and then withdrew

Then the House adjourned til *Monday* Morning Ten a Clock

Monday May the fifth 1718

MR *Speaker* and Twenty Members mett and adjourned the House til to morrow morning ten a Clock

Tuesday

Tuesday May the Sixth 1718

ORDERED That the Committees of propositions and Greivances and for Publick Claimes present the Address of *Saturday* laft to the Govern^r.

Mr *Corbin* reported from the Committee of Propositions and Greivances

That the Said Committee had taken into their confideration Severall of the matters to them referred and therein had come to Some refolutions which he read in his place and delivered in at the Table where the Same was again read

Then the Houfe proceeded to the immediate confideration thereof

And upon confideration of the Report of the Said Committee made on that part of the Greivances from *James City* and *New Kent* Countys for Setting Idle People to work and preventing Diforders from Lewd women—

The Houfe agreed to the Said report *viz*.

Resolved That a Bill be prepared accordingly

Ordered That the Committee of Propositions and Greivances prepare and bring in the Said Bill—

And upon confideration of the Report of the faid Committee made on the Propofitions from *James City* County for payment of Jurys that Serve on Lands—

The Houfe agreed to the faid Report *viz*.

Resolved. That the Same be rejected.

And upon confideration of the report of the faid Committee made on the Greivances from *Prince George*, *New Kent* and *James City* Countys relating to the Poft Office

The Houfe agreed to the faid report *viz*.

Resolved That the great Abufes that hath been committed in the Adminiftration of the Said Office ought to be redreffed, and that a Bill be prepared accordingly.

Ordered That the Committee of Propositions and Greivances prepare and bring in the Said Bill

And upon confideration of the Report of the faid Committee made upon Infpecting the Journalls of the laft Affembly and upon the Propofitions from *King* and *Queen Charles City* and *Prince George* Countys for payment of Burgeffes

The Houfe agreed to the faid Report *viz*.

Resolved That One hundred pounds of Tobacco *per Diem* be paid to Each Burgefs for his attendance on the Affembly. And that a Bill be prepared accordingly—

Ordered That the Committee for Publick Claimes prepare and bring in the Said Bill—

Mr *Goodrich* reported That the perfons appointed had according to Order prepared a Bill to Divide thofe parts of the parifhes of *Westover* and *Weynoak* which lye on the South Side *James River* from thofe parts of the faid Parifhes which lye on the North Side the Said River and for Uniting *Westopher* and *Weynoak* parifhes on the Southside *James River* to *Martin Brandon* Parifh in the County of *Prince George* and for making *Charles City* County One intire parifh which he prefented to the Houfe and the Same was received and read the firft time and ordered to be read a Second time.

The Houfe refolved itfelf into a Committee of the whole Houfe to confider further of the Governours Speech And after fome time Spent therein Mr *Speaker* refumed the Chair and Mr *Randolph* reported from the Said Com^{tee} That they had come to Some refolutions which he read in his place and then delivered in at the Table where the Same was again read.

Ordered That the Said report be taken into confideration to morrow

Then the Houfe adjourned til to morrow morning ten a Clock.

Wednesday. May the Seventh 1718

THE Petition of *Chicheley Corbin Thacker* praying an Allowance as Clerk of the Secretarys Office as ufual being referred from the Council was read and referr'd to the Committee for Publick Claimes to Examine the Same and make report thereof with their Opinion thereon to the Houfe—

The Petition of *William Cocke* Esq^r Secretary praying an Allowance for twenty Seven

Seven writts for Election of Burgeffes iffued out of his Office according to Law being referr'd from the Council was read and referred to the Com^{tee} for Publick Claimes to Examine the Same and make report thereof with their Opinion thereon to the Houfe—

The Petition of *Richard Hickman* Setting forth that he was Employed to write a Copy of the Lawes made in the year 1711 for the use of the Generall Court and praying to be Allowed for the Same was presented to the Houfe and read

Ordered That the Said Petition be rejected.

The Memoriall of *John Tullit* containing Propofalls to Erect an Iron work in this Colony being referr'd from the Council, was read and referred to the Committee of Propofitions and Greivances to Examine the Same and make report thereof with their Opinion thereon to the Houfe—

The Houfe according to Order proceeded to the confideration of the report of the Committee of the whole Houfe made on Yefterday—

After a Debate—The Houfe agreed to the Said report with Some Amendments as follows.

Resolved That an Addrefs be prepared to the Governour giving him thanks for communicating to this Houfe the Inſtruction mentioned in his Speech and to Deſire him to lay before this Houfe the Commiſſion under the Great Seal of *Great Brittain* whereby the Governour Council and Affembly of this Dominion are Impowered to make Laws Statutes and Ordinances for the Publick Peace wellfare and good Government thereof—

Resolved. That the Indian Company have Leave til *Monday* next to lay before this Houfe an Account of the Charges and Expenſe they have been at for the Publick Benefit of this Country.

Resolved That at this time the Houfe is not acquainted with any Abufes in the Indian Trade which want regulation—

Ordered. That the Committee of Propofitions and Greivances prepare the Said Addrefs—

Mr *Harrifon* reported from the Committee for Publick Claimes that they had (according to order) prepared a Bill to repeal part of an Act intituled *an Act for regulating the Election of Burgeffes for ſetting their Priviledges and for aſcertaining their Allowance and for Leſſening the ſaid Allowance* which he preſented to the Houfe and the Same being received was read—

Upon a motion the Queſtion was put.

That the Said Bill be read a Second time

It paſt in the Negative And thereupon

Ordered. That the Said Bill be rejected

Mr *Diggs* moving for leave to be abſent from the Service of the Houfe a few daies It is accordingly granted him.

Then the Houfe adjourned til to morrow morning Ten a Clock

Thursday May the 8th 1718.

MR *Corbin* acquainted the Houfe that the perſons appoynted had according to Order preſented the Addrefs of *Saturday* laſt to the Governour and that he was pleaſed to return the following Anſwer.

Tell the Houfe That whatever Enquirys they ſhall think fit to make into my Publick Tranſactions will alwaies be acceptable to me— This Addrefs will Occaſion my laying before the Houfe Severall Papers and as ſoon as I can get them prepared they ſhall be ſent down to you—

Mr *Corbin* reported that the Committee of propoſitions and Greivances had according to order prepared an Addrefs to the Governour which he delivered in at the Table where being read the Houfe proceeded to the Conſideration thereof

And

And after a Debate the Question was put
That the Said Address be agreed to without Amendments
Resolved. In the affirmative. Which Address is as follows.

To the Hon^{ble} Alexander Spotlwood his Majest^{ys} Liev. Govern^r of Virginia
The humble Address of the House of Burgeffes.—

May it please yo^r Hon^r.

Wee his Majest^{ys} most Dutifull and Loyall Subjects the Burgeffs assembled Do return Yo^r Hon^r our humble Thanks for communicating to this House the Instruction from his Majesty menconed in your Speech at the Opening of this Session And also for communicating to this House the Order of his Majesty in Council of the One and thirtieth of *July* last which Order mentions A Commission und^r the Great Seal of *Great Brittain* whereby the Govern^r Council and Assembly of this Dominion are Impowered to make Lawes Statutes and Ordinances for the Publick Peace welfare and good Government thereof

Wee humbly desire yo^r Honour will be pleased to order the Said Commission to be laid before this House—

Ordered That the Said Address be fairly transcribed and Signed by Mr *Speaker* and that the Committee of Propositions and Grievances and for Publick Claimes present the Same to the Governour

A written message from the Governour & Council by Mr *Robertson*—
Mr *Speaker* and Gentlemen of the House of Burgeffes

The Governour and Council having received a Petition from *Moses Price* One of the Soldiers listed here for the assistance of *South Carolina* and thereupon thought fit to take his Examination in writing touching the Usage he and the other *Virginia* Soldiers mett with from that Government think the Case of the Petitioner and the other Inhabitants of this Colony engaged in the Same Service worthy of the consideration of your House

The Government here has not been wanting to make the proper applycations to *South Carolina* to perswade that Government to the performance of their Articles but all to no purpose—And finding how little Justice was to be Expected there. The Govern^r has fully represented the Case to the Right Hon^{ble} the Lords Commis^{rs} for Trade and hath received an Answer, that their Lord^{shps} have laid it before his Majesty But in regard many of the poor men who went into the Service of *Carolina* being disappointed of the Advantages promised them are brought thereby into very hard Circumstances, the widdowes and Orphans of Such as dyed in that Service reduced to poverty, And Debtors and Servants yet detained or Suffered to Stay (contrary to the Express words of the Treaty) in that Province without any Remittances made for the Satisfaction of their Creditors and Masters—The Governour and Council recommend to the consideration of your House to take Some measures for the present releif of those who thus Suffer on account of the Govern^{mt} of *South Carolinas* Breach of faith until his Majesty shall be pleased to order Justice to be done therein—

May the 7th 1718

By ord^r of the Govern^r and Council
Wil Robertson Cl. G. Ass^{ly}—

Ordered That the Said Message be taken into consideration to morrow—

Mr *Corbin* reported that the Committee of Propositions & Greivances had according to Order prepared a Bill for Setling the fees of the Secretary County Court Clerks. Sherifs Coroner and Constables & for ascertaining the fees of Attorneys to be allowed in a Bill of Costs As also declaring the power of the Secretary in appoynteing Court Clerks which he presented to the House and the Same being read the first time—

Ordered That it be read a Second time—

Mr *Corbin* reported that the persons appointed had (according to Order) Examined the Treasurers Accounts with the Vouchers and that the Same did agree

Ordered That the Treasurer make Oath to the Said Accounts to the End they may be paid.

A Bill to Divide those parts of the Parishes of *Westopher* and *Weynoak* which lye on the South Side of *James River* from those parts of the Said Parishes which lye on the North Side the Said River and for Uniting *Westopher* and *Weynoak* Parishes on the South Side *James River* to *Martin Brandon* Parish in the County of *Prince George* and for making *Charles City County* One intire Parish was read a Second time and an Amendment being made therein—

Ordered That the Said Bill with the Amendment be ingrossed—

Upon a motion of Mr *Hawkins* a Member of this House he has leave to be absent til *Thursday* next.—

Then the House adjourned til to morrow morning ten a Clock.—

Fryday May the 9th 1718

MR *Treasurers* Accounts the Ballance whereof due to the Country being Eight Thousand five hundred forty Six pounds Seven pence half penny passed the House—

Ordered. That the Committee for Publick Claimes carrye the Same to the Council for their Assent.

Mr *Corbin* acquainted the House that the persons appointed (had (according to order) presented the Addrefs of Yesterday to the Governour and that he was pleased to Say he would lay before the House the Commiſſion they desired

Upon a motion made the House was called over And thereupon

Ordered. That Mr *Cole* be Sent for in Custody of the Mesſinger to answer his Default in not attending the Service of the House according to his Duty and that Mr *Speaker* Iſſue his warrant accordingly.

The Petition of *William Hatt* Setting forth that he has a Curious Picture of his Majesty King *George* and propoſing to Sell the Same to this House was presented and read.—

Ordered That the Said Petition be rejected

The Petition of *Chicheley Corbin Thacker* Setting forth that a Copy of the Lawes made in the year 1711 belonging to the Secretarys Office was loſt and that he had Employed *Richard Hickman* to write another Copy of the Same and praying that the Said *Hickman* might be allowed accordingly was presented to the House and read.

Ordered That the Said Petition be referred to the Committee for Publick Claimes to Examine the Same and make report thereof with their Opinion thereon to the House—

Mr *Corbin* reported that the Committee of Propositions and Greivances had according to order prepared a Bill for the better Secureing the payment of Levys and for the punishment of lewd and Idle People which he presented to the House, and the Same being read the first time—

Ordered That it be read a Second time—

Mr *Corbin* from the Committee of Propositions and Greivances reported That they had taken into conſideration the Memorial of *John Tullit* containing propoſalls for Erecting an Iron work in this Colony and therein had come to Some reſolutions which he read in his place and delivered in at the Table where being again read the House proceeded to the conſideration of the Same—

And after a Debate the Queſtion was put.

That the report of the Said Committee be agreed to

It paſt in the Negative And thereupon

Ordered. That the Said Propoſalls be rejected

Mr *Harrison* acquainted the House that the Committee for Publick Claimes could not proceed to finiſh the Book of Claimes for want of the book of Proportions of the laſt Aſſembly

Ordered

Ordered That the Clerk of the Gen^l Assembly the Clerk of the House and the Clerks of the Severall Committees make diligent Search for the Same in their Offices and make report to this House in writing on *Monday* next—

A Bill for Settling the fees of the Secretary, County Court Clerks, Sherifs Coroner and Constables and for ascertaining the fees of Attorneys to be Allowed in a Bill of Costs—As also declaring the power of the Secretary in appointing County Court Clerks was read a Second time and Some Amendments being made therein—

Ordered That the Said Bill with the Amendments be ingrossed—

A written Message from the Hon^{ble} the Liev^t Govern^r by Mr *Robertson*—

Mr Speaker and Gentlemen of the House of Burgeesses

In Answer to Yo^r Address presented to me on the 6th Instant I now lay before you the Treaty made by the Lord *Howard* with the Northern Indians, and Sundry late transactions with them by which and the letters herewith Sent it will appear That they insist upon renewing their former Treaty and Expect it should be done by Commissioners Sent for that purpose to meet them at *Albany*

If you consider the Articles of Peace made with our Tributarys in 1677. approved by the Sovereign and confirmed by Act of Assembly it will not be Denied but that they are Entitled to the Protection of the Government and that whoever attacks them may very Justly be said to break wth us. That the five Nations have shewed somewhat more than a Disposition to fall on these Tributarys will plainly appear from the Papers I now lay before you—

Whatever people may think of the insult committed by the Northern Indians last year at *Christanna* the falling on the *Cattawbaws* under the protection of that fort at a time when in Compliance with their Engagements to this Government they were delivering up Hostages, the Surest pledges which could be desired for their future fidelity to the *Brittish* Interest—And when trusting to the Publick faith for their Security they had delivered up their Armes—If no regard were due to the person of the Governour then present is Surely a very great affront to the Government it Self and a Breach of the Treaty with my Lord *Howard*, Since by it the Northern Indians are Obligated not only to forbear any Act of Hostility against *English* or Indians within this Colony but are Expressly restrain'd from coming near the *English* Settlements

But whatever your Sentiments shall be of the Disposition of the Northern Indians or the Expediency or indifferency of renewing the Covenant Chain with them; if the Government can be acquitted of the Consequences I shall have no reason to be under any apprehensions and having given you my opinion I shall acquiesce in yours —

That you may have under your consideration at once the whole State of the Indians affaires I think it necessary to lay before you Some Treatys made with our Tributarys intended as a Barrier to the Country against foreign Incursions And if these Tributarys had all of them Complied with their Engagements I cannot but think your frontiers might have been constantly provided with a Standing Guard at a very moderate Expence But the *Saponys* are the only Nation that has Submitted to remove to a new Settlement and to abandon that Nation when they are threatned by their Northern Enemys (besides the Imputation it will Cast on the Government for breach of faith) may be attended with ill Consequences and from the Strictest Friends may make those Indians our most dangerous Enemys—

I cannot but at the Same time recommend to your Care the Eleven Hostages delivered up to this Government by the *Cattawbaw* Indians and their Allies which have hitherto been Supported by the late Indian Company These are the Pledges you have for the friendship of A considerable People the nearest Neighbours to your Frontiers of any of the Southern Nations And Seeing the Indian Trade is now open for all the Inhabitants of this Colony and the most Valueable part of it carryed on through the Townes of those Indians I Leave it to your Consideration whether the keeping or returning these Hostages be most likely to preserve the good Understanding which is Now Established with those Indians and tend to the Security of the Inhabitants of their Trade—

As

As to that part of your Address which relates to the Expeditions I have undertaken purely for the Service of the Country tho the Journall I keep of all my Movements has Enabled me to lay before you A particular Account of my Travells yet I keep no Diary of my Expences: But the Gentlemen of the Country who have accompanied me Doubt not can inform you that I have alwaies kept up the Dignity of your Governour—

And in answer to yo^r Address of this Day I send you the Govern^r of *Virginia's* Patent which I take to be the Commission und the Great Seal menconed in his Majestys Order in Council for repealing the Acts of Assembly

May the 9th 1718

A Spotjwood

The Patent mentioned in the said message was read and thereupon.

Ordered That the Committees of Propositions and Greivances and for Publick Claimes do Return the Same to the Governour with the most humble Thanks of this House for his favour in causing it to be Laid before them—

Resolved. That the said message be taken into consideration on *Monday* next

Resolved. That the written message from the Govern^r and Council to this House Yesterday be taken into consideration to morrow—

Upon the Motion of Mr *Stith* he has leave to be absent from the Service of the House til *Tuesday* next.—

Upon the Motion of Mr *Bolling* he has leave to be absent from the Service of the House til *Wednesday* next

Upon the Motion of Mr *Waters* he has leave to be absent from the Service of the House til *Monday* next.

Then the House adjourned til to morrow morning Ten a Clock—

Saturday May the 10th 1718

RESOLVED That the consideration of the written message from the Governour and Council to this House on *Thursday* last be referred til *Tuesday* next

An Ingrossed Bill intituled *an Act to divide those parts of the Parishes of Westopher and Weynoak which lye on the South Side of James River from those parts of the Said Parishes which lye on the North Side the Said River and for Uniting Westopher and Weynoak Parishes on the South Side James River to Martin Brandon Parish in the County of Prince George and for making Charles City County One intire Parish* was read the third time

Resolved Upon the Question

That the Bill do pass

Ordered That the persons who prepared the Said Bill Do carrye the Same to the Council and desire their Concurrence thereto.

Upon the motion of Mr *Griffin* he has Leave to be absent from the Service of the House til *Thursday* next.

Then the House adjourned til *Monday* Morning ten a Clock

Monday May y^e 12th 1718

A BILL for the better Secureing the payment of Levys and for the punishment of Lewd and Idle People was read a Second time—

Upon a motion made—

Ordered That the Said Bill be committed to the committee the [that] prepared it for amendments

The Order of the Day for taking into Consideration the Message from the Hon^{ble} the Liev^t Governour on *Friday* last being read

Upon a Motion made

Resolved

Resolved That the House will on *Wednesday* next resolve it Self into a Committee of the whole house to consider the Said Message—

The House being informed that Mr *Cole* (who is in Custody of the Messinger) was ready to attend the Service of the House.

Ordered That he be Discharged out of Custody paying fees and that he be admitted to take his place in the House—

The Clerk of the Generall Assembly the Clerk of the House of Burgeffes and the Clerks of the Severall Committees according to order reported That they had made diligent Search in their Offices for the book of Proportions of the last Assembly, but that the same could not be found

Ordered That Mr *Richard Buckner* late Clerk of the House of Burgeffes be Sent for in custody of the Messinger as well to give an account of the said Book of Proportions as to answer to Such other things as this House shall require of him and that Mr *Speaker* do Issue his Warrant accordingly

Ordered. That Mr *Corbin* Mr *Harrison* and Mr *Conway* do inspect the Journalls of the Last Assembly and inquire into the transactions of Mr *Buckner* late Clerk of the House of Burgeffes and make report thereof to this House and that Mr *Miles Cary* attend them as Clerk.—

Then the House adjourned til to morrow morning ten a Clock.

Tuesday. May the 13th 1718

MR *Willis* reported That the persons appointed had according to Order Examined the Subject matter of the Petition of *Michael Megginson* and that they found the Same to be true And thereupon—

Ordered That the Said *Michael Megginson* have leave to bring in a Bill according to the Prayer of his Petition—

Mr *Corbin* reported That the Committee of Propositions and Greivances had according to Order prepared a Bill for preventing Abuses in the Post Office which he presented to the House and the Same being read the first time

Ordered That it be read a Second time

Mr *Corbin* from the Committee of Propositions and Greivances reported That the Said Com^{tee} had taken into their consideration Severall of the matters to them referred and therein had come to Some resolutions which he read in his Place and delivered in at the Table where being again read the House proceeded to the consideration of the Same.

And upon consideration of the report of the said Committee made on the proposition from the Countys of *New Kent* and *Accomack* for inlarging the Allowance for Destroying of Wolves.

The House agreed to the Said report. *viz*!

Resolved That the Said Proposition be rejected

And upon consideration of the report of the Said Committee made on the Proposition from *New Kent* for Clearing *Pomonkey River*

The House agreed to the said report *viz*!

Resolved. That the Said Proposition be rejected.

And upon consideration of the report of the Said Committee made on the Proposition from *New Kent* for appointing Publick places for the payment of Tobacco

The House agreed to the Said report *viz*!

Resolved That the Said Proposition be rejected

And upon consideration of the Petition of Mr *Beverley* and others for making a Bridge over the *Dragon Swamp*.

The House agreed to the said report *viz*!

Resolved That a Bill be brought in to Impower Mr *Beverley* and the other Subscribers to build Such Bridge at a place comonly called the *Musfeel* shell and to require the Courts of *King* and *Queen* and *Middlesex* to lay out convenient roades thereto.

Ordered

Ordered That Mr Corbin, Mr Grymes, Mr Baylor, and Mr Braxton prepare and bring in the Said Bill and that Mr Cary attend them as Clerk—

And upon consideration of the report of the said Committee made on the Proposition from *King and Queen* relating to the Said Bridge

The House agreed to the Said report *viz*!

Resolved. That the Said Proposition be rejected

And upon consideration of the report of the Said Committee made in these words.

“On consideration of the Greivance and Proposition from *James City and Prince George* and upon Inspecting the Journals of the last House of Burgesses

“It appears to this Committee That Mr *Thomas Butts* being in custody of the Messinger “of that House made his Escape in Breach of their Priviledges which is Submitted to “the Consideration of this House—

After a Debate the Question was put

That Mr *Speaker* Issue his warrant to the Messinger of this House to take the Said *Thomas Butts* into Custody to answer the Said Escape

It past in the Negative

And upon consideration of the report of the Said Committee made on the Proposition from *Northampton* for prohibiting the Exportation of old Iron

The House agreed to the said report *viz*!

Resolved That the Said Proposition be rejected

And upon consideration of the report of the Said Committee made on the Proposition from *Northampton* and *Accomack* for Justices of the Peace determining Causes amounting to flour hundred pounds of Tobacco or forty shillings in money

The House agreed to the Said report *viz*!

Resolved That the Said Proposition be rejected

On consideration of the Proposition from *Northampton* for laying Six pounds per Cent on Tobacco Cask.

The House agreed to the said report *viz*!

Resolved That the Said Proposition be rejected

And upon consideration of the report of the Said Committee made on the Proposition from *Northampton* to prohibite free Negroes or Mulattoes from Entertaining Slaves—

The House agreed to the Said report *viz*!

Resolved. That the said Proposition be rejected being already provided for by Law—

And upon consideration of the report of the said Committee made on the Proposition from *Northampton* that the Lawes of this Colony may be put in print and Expofed to Publick Sale in every County.

The House agreed to the said report *viz*!

Resolved That the Same be referred to the consideration of the next Assembly.

And upon consideration of the report of the Said Committee made on the Proposition from *Accomack* for a reward for killing Squirrells & Crowes

The House agreed to the Said report *viz*!

Resolved That the Said proposition be rejected

And upon consideration of the report of the said Com^{tee} made on the proposition from *Northampton* That all free Negro and Mulatto women may pay double taxes

The House agreed to the Said report *viz*!

Resolved That the Said Proposition be rejected—

An Ingrossed Bill for settling the fees of the Secretary, County Court Clerks Sherifs Coroner and Constables and for ascertaining the fees of Attorneys to be allowed in a Bill of Cofts as also declaring the power of the Secretary in appointing County Court Clerks. was read a third time

Resolved That the Said Bill do pass

Ordered That the Com^{tee} of propositions & Greivances do carrye the Same to the Council and desire their Concurrence thereto—

A Message from the Council by Mr *Robertson*

That

That the Council had passed the Treasurers Account which the Govern^r had assented to

Propositions from the County of *New Kent* for the better payment of Publick Dues Levys and Small Debts being refer'd from the Council was read

Resolved. That the said proposition be rejected

The House proceeded to the consideration of the written Message from the Govern^r and Council. And thereupon

Ordered That it be referred to M^r *Randolph*, M^r *Grymes*, M^r *Blair* and M^r *Jenkins* to prepare an Answer to the Said Message and report the Same to this House and that M^r *Miles Cary* attend them as Clerk—

Upon a Motion made after a Debate the Question was put That the House Resolve it Self into a Com^{tee} of the whole house to consider further of the Governours Speech—

Resolved In the affirmative—And thereupon—

Resolved. That M^r *Randolph* do take the Chair of the Said Committee

And the House accordingly resolved it Self into a Committee of the whole House and after Some time Spent therein—

M^r *Speaker* resumed the Chair and M^r *Randolph* reported That the Said Committee had had under their consideration a Paragraph of the Governours Speech and the Instruction mentioned therein and that they had come to Some resolutions which he read in his place and delivered in at the Table where the same was again read—

Then M^r *Randolph* acquainted the House That the Committee of the whole House had directed him to move for leave to Sit again to consider further of the Govern^rs Speech and thereupon—

Resolved That the House will again resolve it Self into a Committee of the whole house to consider further of the Said Speech.

Resolved That the consideration of the Said report be referr'd til to morrow.

The Indian Company according to leave given them laid before the House their Acco^{ts} —

Ordered. That the Said Accounts do lye upon the Table for the Perusal of the Members of the House—

The Petition of *William Waters* and *Charles floyd* Representatives for the County of *Northampton* praying Leave in behalf of themselves and the other Inhabitants of the Said County to bring in a Bill for appointing the Court day of the Said County on the Second *Tuesday* in each Month was presented to the House and read.

Ordered That they have leave to bring in a Bill according to the prayer of the 1st Petition

Then the House adjourned til tomorrow morning ten a Clock.—

Wednesday May the 14th 1718

UPON a motion made the House was called over And thereupon.

Ordered. That M^r *Stith*, M^r *Thompson*, M^r *Barber*, M^r *Johnson*, M^r *Jones*, M^r *Waters*, M^r *floyd* and M^r *Ewele* be taken into Custody of the Meslinger to answer their Default in not attending the Service of the House according to their Duty and that M^r *Speaker* issue his warrant accordingly.

M^r *Corbin* reported. That the Committee of Propositions and Greivances to whom the Bill (for the better Secureing the Payment of Levys and for the Punishment of Lewd and Idle People) was committed for Amendments had made Some Amendments therein which being received were read and agreed to by the House—

Ordered That the Said Bill with the Amendments be Ingrossed—

M^r *Corbin* from the Committee of Propositions and Greivances reported that the Said Committee had taken into their Consideration Severall of the Matters to them referred and

and therein had come to Some resolutions which he delivered in at the Table and being read the House proceeded to the consideration thereof—

And upon consideration of the report of the Said Committee made on the Greivances from *Prince George* and *James City* Countys. That unusuall Judges have been appointed to try his Majesty's Subjects here for their lives contrary to antient practice and that his Majesty be Addressed for releif therein—

After a Debate the Question was put That the report of the Said Committee be agreed to

Resolved in the Affirmative and thereupon

Resolved—That an humble Address to his Majesty be prepared accordingly—

And upon consideration of the report of the Said Committee made on the Proposition from *Prince George* County, That the Governour in Cheif may reside in this Colony.

The House agreed to the Said Report *viz*.

Resolved That the Said Proposition be rejected.

The House being informed that Mr. *Stith*, Mr. *Thompson*, Mr. *Barber*, Mr. *Johnson*, Mr. *Jones*, Mr. *Waters* Mr. *floyd* and Mr. *Ewle* (who are in custody of the Messinger) are ready to attend the Service of the House—

Ordered That they be discharged out of Custody paying fees and that they be admitted to take their places in the House

The Resolve being read That the House would this day resolve itself into A Committee of the whole house to consider the written Message from the Governour.

The Question was put

That the House do now resolve it self into a Committee of the whole House to consider the Said Message—

Resolved. In the Affirmative—And thereupon

Resolved That Mr. *Randolph* do take the Chair of the Said Committee

The House accordingly resolved it self into a Committee of the whole House and after Some time Spent therein Mr. *Speaker* resumed the Chair and Mr. *Randolph* reported that the Said Committee had had under their consideration Some parts of the Governours message with the Papers therein mentioned—but not having time to go thro the Said message had directed him to move for leave to Sit again. And thereupon.

Resolved. That the House will again resolve it Self into a Committee of the whole House to morrow to consider further of the Said message—.

The House (according to order) proceeded to the consideration of the report of the Committee of the whole house on Yesterday and part thereof was agreed to with an Amendment as follows.

Resolved. That an Address be prepared to his Majesty beSeeching him to recall his Additional Instruction whereby he has Signified his will and pleasure that the Governour do not for the future pass any Act which may affect the trade or Shipping of *Great Britain* until it has been approved by him his heirs or Successors And that he will be pleased to permit his Governour here to Pass any Act that shall by the Generall Assembly be thought for the Service of his Majesty and this Government in the manner as hath been usual—

Ordered. That the Committee of Propositions and Greivances prepare an Address to his Majesty according to the purport of the Resolutions afore mentioned—

And upon consideration of the other part of the report of the Said Committee for appointing an Agent to Sollicite in *Great Britain* the affaires of this Country.

After a Debate the Question was put.

That the said report be agreed to

Resolved. In the affirmative. And thereupon.

Resolved That a Bill be prepared accordingly.

Ordered. That the Committee of Propositions and Greivances prepare and bring in the Said Bill

A Bill for preventing Abuses in the Post Office was read a Second time

Ordered. That the Said Bill be ingrossed—

Mr *Waters* acquainted the House that the persons to whom Leave was given to bring in a Bill for altering the Day for *Northampton* County Court had prepared the Same which he presented to the house—

And being read the first time was ordered to be read a Second time

Then the House adjourned til to morrow morning ten a Clock

Thursday May y^e 15th 1718

MR *Willis* acquainted the House That *Michael Megginson* (according to Leave given him) had prepared a Bill Entituled a Bill to Enable *Michael Megginson* of the County of *King* and *Queen* planter to Sell certain Lands in the County of *Glocester* entailed on him and the heires of his body upon his Setling other Lands of a greater value to the Same uses which he presented to the House and the Same being read the first time was ordered to be read a Second time

Mr *Corbin* reported that the Com^{tee} appointed had according to order inspected the Journalls of the last House of Burgeffes and enquired into the tranfactions of Mr *Rich^d Buckner* late Clerk of the said House and had prepared a Report thereupon which he read in his place and delivered in at the table

And the Same was again read.

Ordered. That the said report do lye on the table

Mr *Randolph* reported That the persons appointed had according to order prepared an Answer to the written Message from the Govern^r and Council which he read in his place and delivered in at the table and being again read was agreed to by the House as follows.—

By the House of Burgeffes

May it please yo^r Hon^{rs}:

The House of Burgeffes having had under their consideration yo^r Hon^{rs} message with the Petition and Examinacon of *Moses Price* are Surprized at the unjust Treatment of the Government of *South Carolina* to the Soldiers Listed here for their Assistance. And we acknowledge the Representation thereof made by the Govern^r to the R^t Hon^{ble} the Lords Commiff^{rs} for trade to be founded on reason and Justice upon which Representation Wee humbly hope his Majesty will be gratioufly pleased to Signifye his pleasure and that thereafter the Government of *South Carolina* tho they are regardless of the Treaty concluded by their Commiff^{rs} with this Government will at least Submit to the Order of their Sovereigne which we doubt not will be agreeable wth Justice—

We are of Opinion that it would be a hardhipp on this Government to make good the Treaty broke by the Government of *South Carolina* and therefore Wee cant agree to releive those who Suffer on Account of their Breach of ffaith—

Ordered. That the Said Message be fairly transcribed and signed by the Clerk and that Mr *Randolph* Mr *Grymes*, Mr *Blair*, Mr *Jenkins*, Mr *Burwell*, Mr *Custis*, Mr *Stith*, Mr *fitzhugh* Mr *Cole*, Mr *Ball*, Mr *Hardyman* and Mr *Woodbridge* carrye the Same to the Governour and Council—

Upon the motion of Mr *Ejcridge* he has Leave to be absent from the Service of the House til *Wednesday* next

Upon the motion of Mr *Mason* and Mr *fitzhugh* they have leave to be absent from the Service of the House til *Thursday* next.

A Bill for altering the Day for *Northampton* County Court was read a Second time

And upon a motion the question was put.

That the Said Bill be Ingrossed

Resolved in the affirmative And thereupon

Ordered That the Said Bill be Ingrossed

The Memoriall and Accounts of the Indian Comp^a were read and Ordered to be referred to the consideration of the Committee of the whole House to which the further consideration of the Governours Speech is referred—

The House according to order resolved it Self again into a Com^{tee} of the whole House to consider further of the written message from the Govern^r. And after Some time Spent therein Mr *Speaker* resumed the Chair and Mr *Randolph* reported that the Said Committee had further considered the Govern^rs Message but not having time to finish it had directed him to move for leave to Sit again and thereupon.—

Resolved That the House will again resolve it Self into a Committee of the whole House to morrow to consider further of the Said Message—

An Ingrossed Bill for the better Secureing the payment of Levys and for the punishment of Lewd and Idle people was read the third time

Resolved That the Said Bill Do pass—

Ordered That the Committee of Propositions and Greivances do carrye the Said Bill to the Council and desire their Concurrence thereto—

Then the House adjourned til to morrow morning ten a Clock.

Fryday. May the 16th 1718

MR *Corbin* reported that the persons appointed had according to ord^r prepared a Bill to Impower *Harry Beverley* and others to build a Bridge over the *Dragon* Swamp which he presented to the House and the Same being read the first time was ordered to be read a Second time—

Mr *Corbin* from the Committee of Propositions and Greivances reported That the Said Committee had according to Order prepared a Bill declaring the method for ap-
pointing an Agent to Sollicite the Affaires of this Colony in *Great Brittain* which he presented to the House and the Same being read the first time was ordered to be read a Second time

An Ingrossed Bill for preventing Abuses in the Post Office was read the third time.

Resolved. That the Said Bill do pass—

Ordered That the Committee of Propositions and Greivances do carrye the said Bill to the Council and desire their Concurrence thereto

The Petition of *Chicheley Corbin Thacker* praying as well in behalf of the Publick as of *Henry Thacker* Orphan and Devisee of *Henry Thacker* late of *Middlesex* deceased a Bridge over the *Dragon* Swamp may be built at *Kings* or *Wares* and not at the *Mussel Shell* according to the Petition of *Harry Beverley* and others was presented to the House and read—

Ordered. That the said Petition be referred to be considered til the Bill to Impower *Harry Beverley* and others to build a Bridge over the *Dragon* Swamp is read a Second time—

A Bill to Enable *Michael Meggison* of the County of *King* and *Queen* Planter to Sell certain lands in the County of *Gloucester* entailed on him and the heires of his Body upon his Setling other Lands of a greater value to the Same Uses was read the Second time—

Ordered That the Said Bill be Ingrossed—

The House according to Order Resolved it Self again into a Committee of the whole house to consider further of the Govern^rs Message and after Some time Spent therein Mr *Speaker* resumed the Chair and Mr *Randolph* from the Said Com^{tee} reported That having gone thro the Govern^rs message they had come to Severall resolutions which he read in his place.

Resolved That the Same be considered to morrow

A Message from the Council by Mr *Robertson*

That the Council have agreed to the Bill Entituled *an Act for settling the fees of the Secretary County Court Clerks Sherifs Coroner and Constables and for ascertaining the fees*

ffees of Attorneys to be allowed in a Bill of Costs as also declaring the power of the Secretary in appointing County Court Clerks with Some Amendments to which they desire the Concurrence of this House

Mr Blair having moved for leave presented to the House a Bill for better regulating the ferry over the River *Chichahominy* near the mouth thereof—

And the Same being received was read the first time and Ordered to be read a Second time—

Upon the motion of Mr *Grymes* and Mr *Diggs* they have Leave to be absent from the Service of the House to morrow

Then the House adjourned til to morrow morning Ten a Clock.—

Saturday May the 17th 1718.

UPON the motion of Mr *Jones* and Mr *Barber* they have leave to be absent from the House on *Monday* next.

Upon the motion of Mr *With* and Mr *Jenkins* they have leave to be absent from the Service of the House til *Wednesday* next.

A written Message from the Hon^{ble} the Liev^t Govern^r and Council by Mr *Robinson* Mr *Speaker* and Gentlemen of the House of Burgeffes

On consideration of the Claim of *John Hughes* herewith Sent you the Governour and Council think fit to Set the Services therein men^{tioned} in a true Light that you may the better Judge thereof. The Ranging Service for which this Claim is made was not directed by the Government but only permitted on the Application of the Inhabitants of the upper parts of *James River* And the Claimant at their Desire appointed their Offy^{cer} but without giving them any other promise of Reward than what the Assembly should think fitt That the Claimant did rang as is Set forth in his Claime is past Dispute. And if his So doing was of Service to the Country it is hoped that your House will give him a Suitable Reward.

The other part of his Claim being for conveying a *Cattabaw* Indian Woman from the place where she was taken up to *Christanna*

The Govern^r and Council think fit to acquaint you that this Woman was taken Prisoner from *Christanna* in *April 1717* by the Northern Indians and carryed to the *Mohacks* Country. and is the Same which Mr *Christopher Smith* was Sent to *Albany* to reclaime as is mentioned in his transactions there now before your House after having made her Escape from thence and layn upwards of five Months in the Woods she came in almost famished to a Plantation on the head of *James river* and was taken care of by the Claimant Her being made Prisoner while the Indians of her Nation were under the Protection of this Government made it necessary for the Government to take care of Sending her back to them And as by that Act of Justice and humanity the friendship of those Indians to this Government will undoubtedly be increased the Service which the Claimant did therein is therefore recommended to the consideration of your House

May the 16th 1718 By ord^r of the Govern^r and Council *Wil Robertjon* Cl Gen^r Ass^y

Ordered. That the said Message be referred to the consideration of the Committee for Publick Claimes and that they report their Opinion thereon to the House

A Message from the Council by Mr *Robertjon*

That the Council have agreed to the Bill intituled *an Act to divide those parts of the parishes of Westopher and Weynoak which lye on the South Side of James River from those parts of the Said Parishes which lye on the North Side the Said river and for uniting Westopher and Weynoak Parishes on the South James River to Martin Brandon Parish in the County of Prince George and for making Charles City County One intire Parish* with an Amendment to which they desired the Concurrence of this House—

The House proceeded to the consideration of the Said Amendment And the Same being read was agreed to

Ordered

Ordered. That the Said Amendment be added to the Bill and that the persons who prepared the Said Bill do carrye the Same to the Council & acquaint them this House have agreed to the Amendment Proposed thereto—

The House proceeded to the consideration of the Amendments proposed by the Council to the Bill intituled *an Act for Selling the fees of the Secretary County Court Clerks Sheriffs Coroner and Constables and for ascertaining the fees of Attornys to be allowed in a Bill of Costs. As also declaring the power of the Secretary in appointing County Court Clerks* and the Same being read were agreed to by the House—

Ordered. That the Said Amendments be inserted in the Bill and that the Comtee of Propositions and Greivances do carrye the Same to the Council and acquaint them this House have agreed to the Amendments proposed thereto

Resolved That the report of the Committee of the whole House, referred to be considered on this Day be considered on *Monday* next.

Then the House adjourned til *Monday* morning ten a Clock

Monday. May the 19th 1718

A BILL for better regulating the ferry over the River *Chichehominy* near the Mouth thereof was read a Second time And

Upon a Motion made

That the Said Bill be committed for Amendments

Resolved in the affirmative And thereupon

Ordered. That the Said Bill be committed to Mr *Blair* Mr *Marable* Mr *Broadnax* and Mr *Custis* to amend the Same

The Petition of *Thomas Barrett* praying that the Bill for better regulating the ferry over the River *Chickahominy* near the mouth thereof may be committed for Amendments was presented to the House and read.

Ordered. That the Said Petition be rejected

A Claime of *Clement Lattimore* was by Leave of the House presented and referred to the Comtee for Publick Claimes to Examine the Same and report their Opinion thereon to the House—

An Ingrossed Bill for altering the Day of *Northampton* County Court was read the third time

Upon a motion made. The Question was put

That the Bill do pass—

It pass in the Negative and thereupon

Ordered. That the Same be Rejected

An Ingrossed Bill to Enable *Michael Meggison* of the County of *King* and *Queen* Planter to sell certain lands in the County of *Glocester* Entailed on him and the heires of his Body upon his Setling other Lands of a greater Value to the Same Uses was read the third time

Resolved. That the Said Bill do pass—

Ordered. That Mr *Willis* Mr *Merrywether* Mr *Stith* and Mr *Ewels* carrye the Same to the Council and desire their Concurrence thereto

A Bill declaring the method for appointing an Agent to Sollicite the affaires of this Colony in *Great Brittain* was read the Second time

Ordered That the Said Bill be ingrossed

A Bill to Impower *Harry Beverley* and others to Build a Bridge over the *Dragon* Swamp was read the Second time. And

Upon consideration of the Petition of *Chicheley Corbin Thacker* relating thereto The Question was put. That the Said Bill be ingrossed

Resolved in the affirmative And thereupon

Ordered. That the Same be Ingrossed

A Return being made on the Warrant Issued by the Speaker for the taking Mr *Richard Buckner* into Custody that he was not to be found And it appearing to the House that the person Sent to Execute the Same had been very negligent

Upon a motion The Messinger was called to the Barr of the House and Reprimanded by the Speaker and ordered to Execute the Said Warr^t himself—

Resolved. That the report of the Committee of the whole House referred to be considered on this Day be considered to morrow

Then the House adjourned til to morrow morning Ten a Clock

Tuesday May the 20th 1718

THE House according to order proceeded to the consideration of the report of the Com^{tee} of the whole house made on the Govern^rs Message and the Same being read was agreed unto as follows.—

Resolved. That an Addrefs be prepared to the Governour giving him thanks for laying before this House the Severall Papers mentioned in his Message

Resolved That the Governour by the Said Addrefs be acquainted that Since the Treatys with the Northern Indians have been heretofore made by the Governour and Council So this House do Submitt it to the Governour and Council to determine what further meafures shall be taken to preserve the friendship of those Indians.

Resolved That it is the Opinion of this House that as the *Sapony* Indians have hitherto remained in Peace under the Protection of this Government So wee have no reason to doubt but the Same power that hath hitherto Screen'd them from Injustice will ftill protect them in the Same manner as other Tributary Indians are—

Resolved That it is the Opinion of this House That the Hostages delivered up by the *Cattawbaw* Indians are no advantage or Security to this Government and that therefore they be returned in Such manner as will best preserve a good Understanding with those Indians.—

Resolved. That thanks be given the Governour for informing this House of his many fatiguing Journeys and that if they were purely for the Service of the Country the Sallary he receives by his Majestys favour is a Recompenfe for the Same.

Ordered. That the Com^{tee} of Propositions and Greivances prepare the Addrefs to the Governour as aforefaid—

Propofalls for founding Scholarships in the Colledge of *William and Mary* were presented to the House and read

Ordered That the Said Propofalls lye on the Table.

Upon a Motion made

The House according to Leave resolved it Self into a Committee of the whole house to consider further of the Governours Speech And after Some time Spent therein Mr *Speaker* resumed the Chair and Mr *Randolph* reported from the Said Committee That they had had under their consideration those parts of the Governours Speech which were not before considered with the Memoriall and Accounts of the Indian Company and had come to Some resolutions thereupon which he read in his place and delivered in at the table and the Same being again read—

Ordered That the said report be considered to morrow—

Then the House adjourned til to morrow morning ten a Clock.—

Wednesday y^e 21th May 1718

UPON a motion—

Ordered. That the Committee for Publick Claimes be revived the Same being discontinued

Mr *Corbin* reported that the persons appointed to Examine the Treasurers Accounts had also Examined the Accounts and Vouchers of Mr *Holloway* and Mr *Clayton* for which warrants mentioned in the Treasurers Accounts were past and that they had drawn

drawn a Scheme of the Severall Sumes of money paid thereupon. which they Submitted to the consideration of the house and the Same was delivered in at the table and read—

Ordered That the Said Scheme lye on the table and be considered to morrow

A written Message from the Council by Mr *Robertson*

Mr Speaker and Gent^{ls} of the House of Burgeffes—

The Government being under Engagements for Reimbursing Some of the Charges Expended by the late Indian Company think it necessary to acquaint you that they are preparing a message to Set that matter in a clear light for the consideration of yo^r House.—

May the 20th 1718

By ord^r of the Council

Wil Robertson Cl Gen Aff^{ly}

A Message from the Council by Mr *Robertson* That the Council had passed the Bill intituled *an Act to divide those parts of the parishes of Westopher and Weynoak which lye on the South side of James River from those parts of the said parishes which lye on the North side the said River and for Uniting Westopher and Weynoak parishes on the South Side James River to Martin Brandon parish in the County of Prince George and for making Charles City County One intire parish* as amended. As also that the Council had passed the Bill Entituled *an Act for Selling the fees of the Secretary County Court Clerks Sherifs Coroner and Constables and for ascertaining the fees of Attorneys to be Allowed in a Bill of Cofts* as amended.—

Ordered That the Said Bill be inrolled.

An Ingrossed Bill to Impower *Harry Beverley* and others to build a Bridge over the *Dragon Swamp* was read the third time

Resolved. That the Said Bill do pass—

Ordered. That the persons who prepared the said Bill do carrye the Same to the Council and desire their Concurrence thereto—

An Ingrossed Bill declaring the method for appointing an Agent to Sollicite the Affaires of this Colony in *Great Brittain* was read the third time—

Resolved That the Said Bill do pass.

Ordered That the Committee of Propositions and Greivances and for Publick Claiimes do carrye the Same to the Council and desire their Concurrence thereto

The House according to Order proceeded to the consideration of the Report of the Committee of the whole house made on those parts of the Governours Speech which were not before considered And the Memoriall and Accounts of the Indian Company and the Same being read part thereof was disagreed to by the House and part thereof agreed to with Amendments as follows.

Resolved That the Sume of One hundred pounds advanced by the late Indian Comp^a towards building a Publick Magazine be repaid the Said Company out of the Publick moneys in the Treasurers hands.

Resolved That the Severall Sumes of money menconed in the Account of the late Indian Company Except that for the Magazine do not appear to have been Expended for the Benefit of this Colony therefore this House agree that the Same be not allowed—

Resolved That the Treasurer of this Dominion be Impowered to put to Interest out of the Publick money in his hands for the Space of One Year any Sume or Summes not Exceeding ffour thousand pounds at the rate of four P Cent. per Annum and that he be permitted to take to himself the One half of Such Interest for his trouble and hazard in being answerable for Such money to be put to Interest as aforesaid—

Resolved That a Bill be prepared accordingly

Resolved That there be paid to Mr. *Archibald Blair* the Sume of ffour thouf^d pounds upon his giving good and Sufficient Security out of the publick money in the Treasurers hands and that he be Impowered to put out the Same or any part thereof to Interest at the rate of four P Cent. per annum and be allowed One half of Such Interest in consideration that he be chargeable for all bad Debts which shall happen to be made in Lending the Said money not including the Interest.—

Resolved

Resolved. That the Same be added to the Bill for Impowering the Treafurer to put to Interest out of the publick money in his hands for the Space of One year any Sume or Sumes not Exceeding four thousand pounds as aforef^d

Ordered That the Committee of Propofitions and Greivances prepare and bring in the faid Bill

A written meffage from the Council by Mr. *Robertfon*.

Mr *Speaker* and Gentlemen of the Houfe of Burgeffes.

Upon the repeal of the Act for the better regulation of the Indian Trade It naturally fell under the confideration of the Government how to Supply thofe Services which the late Indian Company were obliged to perform during the continuance of that Act. As the fort of *Chriftanna* had been Judged by former Affemblys to be of Such Confequence to the Publick Safety as to have particular provision made for keeping it up for Twenty yeares. We thought it Improper to take upon us the giving orders for Slighting that fort without the Concurrence of the Same authority by which it was Eftablifhed and more efpecially at a time when we had reafon to apprehend our frontiers in Some Danger from the Behaviour of the Northern Indians and the murthers committed on Some of his Majeftys Subjects on *Roanoak* River—

The *Cattawbaw* Indians having after their Rupture with *South Carolina* made an Offer to this Government to ceafe all Hoftilitys and live in Peace for the future with all the Kings Subjects And as a testimony of their Intention to perform that Engagement offering to deliver into the hands of this Government a Number of their Children as Hoftages. These were accordingly delivered and had been kept at *Chriftanna* at the Charge of the late Company til its Diffolution.

Wee were apprehenfive that the Sending back the Hoftages would be looked upon as a Declaration that we could have no longer any Correſpondence with thofe Indians the Confequences whereof might have been fatal at a time when by laying open the Indian Trade So many of the people of this Colony might reafonably be Expected to go to their Townes and be thereby Expoſed to their Refentment To have removed the Hoftages to any other place might have given the like Umbrage to the Indians nor could they be Safe without the ffort from the Stragglng Partys of the *Senequas* and *Tuſcaruroes* who continually range along that Quarter in their marches to the *Tuſcarudo* Townes.—

Upon theſe confiderations wee were induced to defire the late Indian Company to profecute the work they had begun for making *Chriftanna* more defenſible and to keep up the Same Guard which the Affembly had Enjoyed and to keep the Indian Hoftages until this Affembly ſhould determine concerning both—

Thus we look upon the Publick faith of the Government engaged for the repayment of what Charges the Said Indian Company have Expended in purſuance of our reſolutions And as we acted therein from no private Views but purely out of regard to the Safety of the Country and to the Honour of Affemblys which ought alwaies to be conſulted before the Guard of their frontiers is altered or taken away. We cannot but very Earneſtly recommend the matter to your confideration and herein we hope we need not put you in mind that as Affembles are not alwaies in being there is a neceſſity for the Council on many occaſions to give their advice and directions on particular Emergencys for the Publick Safety and when Such advice is given and purſued with a Reall intention to Serve the Country. We hope the Expence of thofe Services will not be Difallowed by your Houfe and therefore Wee cannot doubt your paying whatever charge the late Indian Company ſhall make appear to have been expended Since their Diffolution for fortifying *Chriftanna*, maintaining the Guard and Supporting the Indian Hoftages.

May 21th 1718.

By order of the Council

Wil Robertfon Cl G Aff^{ly}

Ordered That the Said Meſſage be confidered to morrow—

The Houfe proceeded to the confideration of the propoſalls for founding a Scholarſhips in the Colledge of *William* and *Mary* and the Same being read—

After a Debate the Queſtion was put

That

That a Summe of money be given to the said Colledge—

Resolved In the Affirmative

Then the Question was put.

That the Summe of One Thousand pounds of the money now in the Treasurers hands be given to the Colledge of *William and Mary* to be disposed of as this House shall agree to Direct.

Resolved In the Affirmative

Resolved That the House will to morrow consider in what manner the ^{sd} money shall be disposed of.

Then the House adjourned til to morrow morning ten a Clock.—

Thursday May the 22^d 1718

A MESSAGE from the Govern^r by M^r *Robertson*
Mr Speaker

I am Commanded by the Govern^r to lay before your House a Letter from *Pensilvania* with One Inclosed giving an Account of the motions of the *Senecas* against the Tributarys of this Government.

The Said Letters were read and considered and thereupon

Ordered That a message be sent in writing to the Govern^r giving him Thanks for the Early notice he has given this House of the motions of the Indians to the Norward against the Tributarys of this Government and that he be desired to give them notice of the Same to the end they may not be Surprized by any Sudden Attack.—

A message was prepared accordingly and agreed unto by the House as follows

By the House of Burgessees

May it please yo^r Hon^r.

Wee return yo^r Honour our hearty thanks for yo^r goodness in giving this House Such Early notice of the motions of the Indians to the Norward against the Tributarys of this Government. And having considered the Letters your Honour was pleased to lay before us we can at present think of nothing more Suitable to the Occasion than to intreat your Honour So Soon as the Same may be conveniently done to give those Indians under your protection notice of the Design which Seems to be formed against 'em to the end they may not be Surprized by any Sudden Attack—

Ordered That the Said Message be fairly transcribed and Signed by the Clerk and that M^r *Harrison* M^r *Randolph* M^r *Bolling* M^r *Stith* M^r *Hardyman* M^r *Goodrich* M^r *Hall* M^r *Thompson*. M^r *Bridger* M^r *Smith* M^r *Lear* and M^r *Crafford* do carrye the Same to the Governour—

M^r *Blair* reported that the persons to whom the Bill for better regulating the ferry over the River *Chickahominy* near the mouth thereof was committed for Amendments, had prepared Some Amendments thereto which he delivered in at the Table And the Same being read were agreed unto by the House—

Resolved. That the Said Bill with the Amendments be Ingrossed—

M^r *Corbin* reported that the Committee of Propositions and Greivances had according to order prepared an Address to the King which he read in his place and delivered in at the table and the Same was again read

Resolved. That the House will take the Said Address into consideration to morrow

The House according to order proceeded to consider in what manner the money given to the Colledge should be disposed of.

And thereupon

Resolved That a Bill be prepared for paying the Summe of One Thousand pounds out of the Money in the Treasurers hands to the Govern^{rs} or Visitors of the Colledge of *William and Mary* by them to be disposed of in the best manner they think fit either for the Education of poor Children or for erecting Scholarships in the Said Colledge but
that

that they be obliged to lay an account of the Disposition thereof before the Generall Assembly of this Colony

Ordered That Mr *Custis* Mr *Randolph* Mr *Jones* Mr *Blair* Mr *Grymes* and Mr *Harrison* do prepare and bring in the Said Bill

The Petition of *John Knibb* praying leave to bring in a Bill to Enable him to Sell certain Entailed Lands in consideration of Settling female Negro's of greater value to the Same Uses was presented to the House and read.

After a Debate the Question was put.

That Leave be given to bring in a Bill according to the Prayer of the said Petition
Resolved. In the affirmative. And thereupon

Ordered That Mr *Bolling* prepare and bring in the Said Bill

Upon a Motion

Resolved. That a written message be prepared to the Governour desiring his Honour to Informe this House whether the Governours House be finished and if not what further Summe may be necessary to be Expended in finishing the Same—

A Message was accordingly prepared and agreed unto by the House as follows.

By the House of Burgeffes.

May it please yo^r. Honour.

The House of Burgeffes humbly intreat yo^r Honour to inform them whether the Governours House be finisht and if not to Signifye what further Summes of money may be necessary to be Expended in finishing the Same—

Ordered That the Said Message be fairly transcribed and Signed by the Clerk and that the persons appointed to Examine the Treasurers Accounts do carrye the Same to the Governour

Resolved That the Scheme referred to be considered to day be considered to morrow

Resolved. That the written message from the Council refer'd to be considered to day be taken into consideration to morrow

A written message from the Council by Mr *Robertson*
Mr *Speaker* and Gent^{ls}. of the House of Burgeffes.

As the Council will ever be desirous to Concurr with your House in all proper measures for the publick welfare of this Colony. So they doubt not you will have an Equal regard to the proceedings of that part of the Legislature which in the Intervall of Assemblys is entrusted with the Execution of those Laws and regulations which have been mutually agreed on by the whole—

As there have been diverse Steps taken by the Government for Some years past in pursuance of Acts of Assembly and those Steps afterwards approved by Succeeding Assemblys which Seem now to be generally mistaken as if they had been only the private resolutions of the Govern^r or of the Governour and Council without the Concurrence of the Representatives of the People—Wee think it our duty not only as a part of those Assemblys which directed or approved those measures but as we were consulted and concurred therein as Members of his Majestys Council to lay before you the true grounds of those Schemes which have been form'd and put in practice for the better defence of the frontiers and Securing the friendship of our Indian Neighbors.

It cannot be forgot what Expence the Country was put to for Guarding the frontiers after the Massacre in *North Carolina* in 1711 when no less than Eleven troops of Rangers consisting of twelve men and an Offyicer in Each Troop was judged necessary for its Security This Extraordinary Expence continued until the Assembly in 1713 passed an Act whereby the Liev^t. Governour or the Commander in Chief for the time being was Impowered to Disband as many of those Rangers as he should think fit and to apply their pay for the Succeeding year to Such other Uses as he Should judge most proper and convenient for the better Guarding and Securing the Frontiers.

In pursuance of this Trust the Governour form'd the Scheme of Settling out the Severall Nations of Tributary Indians on the frontiers (according to the Treatys now before your House) of erecting forts at their Settlements and maintaining a constant

Guard

Guard therein which should do the Duty of Rangers from the One of these Settlements to the other & thereby lessen the Charge of that Standing Guard which the Country had for Some years before maintained. As the Council then concurred in that project So they are still of Opinion it would have proved very beneficiall to the Country could the Indians have been brought generally to Comply with their Articles

This also gave Occasion to the Erecting the ffort of *Christanna* and the new Settlement of the *Sapony* Indians there (the only nation of our Tributarys which Submitted to perform their Treaty) A Design So well approved by the Succeeding Assembly that the necessary Supplys for furnishing that ffort were not only readily granted by the House of Burgesses but provision made by a Law for Supporting it as long as it could be reasonably Supposed to remain a ffrontier—

That Law is Since disapproved by his Majesty and by that means the Provision made by the Assembly for maintaining without further Expence to the Country, the fort and Guard in Pursuance of the Treaty with the Indians is also dissolved and it now remains to be considered by this Assembly whether the Publick faith and Honour of the Government shall be Supported or rendered despicable even in the Eyes of the Indians—

If the tranquility which that part of the ffrontiers has Enjoyed Since the Erecting of that ffort be compared with the constant Alarms and Incurfions of Strange Indians which have hapned almost every year before, no man can with reason Say but that this Change is in a great measure owing to that Barrier which frightens foreign Indians from making Incurfions (within a place the strength of which they do not know) least they should be cut off in their Retreat—

Whatever therefore may be the Common Opinion it appears to us that this ffort is usefull to Bridle the Incurfions of Indian Enemyys which was the end of its being Erected and we hope your House will not be of Opinion to Slight a place of that Consequence to the publick Safety. To break thro a Treaty founded upon the Acts of former Assemblies or to abandon a Nation of Indians who have justly performed their part thereof.

Wee think it necessary in like manner to inform you that upon the generall Insurrection of the Indians against *South Carolina* in 1715 and the apprehensions of that flames spreading further this Government judged it prudence to guard against even Such remote Dangers & accordingly as Soon as Overtures of Peace had been made here by the *Cattawbaw* Indians the Governour and Council thought it necessary to Embrace the Same. And because Negotiations with Indians often prove fruitless without an Adequate Security for performance of their part it was insisted on that Hostages should be delivered by those Indians as the best Security they could give and the only one the Government could relye on to Engage their fidelity. these Hostages were accordingly delivered at *Christanna* in April 1717 and are still there. And as the prudence of the Government cannot be called in question for accepting Such pledges of a Nation Scituated nearest to us of any other of the Southern Indians and consequently more capable of giving us Disturbance at a time when the Neighbouring Province was yet involved in Warr with Some Indian Nations and their peace with others very precarious. So if by receiving these Hostages the Peace of our Neighbours has been restored our own preserved and a Security obtained for the Same So long as these Hostages remain in our hands. The Council hope Your House will not grudge that Small Expence which is necessary for continueing that Security to the Country. Especially considering that if the Indian Trade of this Colony has been Judged of Such Consequence as to occasion uneasiness in the Country on Account of its being confined to a Company the advantages which the people you Represent will receive by the Generall Liberty now allowed cannot but make you Sollicitous to Secure the Friend^{shipp} of a Nation thro whose Townes the most valuable part of that Commerce is carryed on. But if your House shall be of Opinion for returning these Hostages. Wee hope you will Enable the Government to do it in so handsome a manner as may give no Umbrage to the Indians that their

friendshipp

friendshipp is Slighted and thereby Expose the Inhabitants of this Colony to the Danger of their Repentment or the Loss of their Trade

By Ord^r of the Council
Wil Robertson C Gen. Ass^{ly}

Ordered That the Said Message be taken into consideration to morrow
 Then the House adjourned til to morrow morning ten a Clock—

Fryday May y^e 23^d 1718

M^R *Harrison* reported from the Committee for Publick Claimes That the Said Committee had taken into consideration the Severall matters to them referred and therein had agreed upon Severall resolutions which they had entred in a Book called the Book of reports of the Committee for Publick Claimes which he presented to the House and the Same was received

Ordered That the Said Book of Reports lye on the Table

The Petition of *John Randolph* praying to be allowed for 20,000^{li} of tobacco the usuall Salary of the Clerk of the House of Burgeesses in money at the rate of Ten Shillings a hundred was presented to the House & read

Ordered. That the Said Petition lye on the Table and be considered with the Book of Claimes.

M^r Corbin reported that the persons appointed had according to Order carryed the Message of this House to the Governour desiring him to inform them whether the Governours house be finisht and if not what further Sumes of money may be necessary to finish the Same And that his Honour was pleased to return the following Answer. It is not finisht and I don't know how much it will take And thereupon

Resolved. That a Committee be appointed to wait on the Governour and desire him to Shew them what further is to be done to the Governours house. To the end a Computation may be made of the Expence further necessary for finishing the Same and the other works appointed by Law and that they make report to this house in writing—

Ordered That *M^r Conoway M^r Merrywether, M^r Bolling, M^r Waters, M^r Bush M^r Jenkins, M^r Neal, M^r Blair, M^r Jones, M^r Mason, M^r Braxton and M^r Hall* do wait on the Governour accordingly.

A Message from the Council by *M^r Robertson*

That the Council have agreed to the Bill intituled *an Act to Impower Harry Beverley and others to build a Bridge over the Dragon Swamp* with Some Amendments to which they desire the Concurrence of this House—

And that the Council have agreed to the Bill intituled *an Act for preventing Abuses in the Post Office* with Some Amendments to which they desire the Concurrence of this House.—

And also that the Council have agreed to the Bill intituled *an Act to Enable Michael Meggison of the County of King and Queen Planter to Sell certain Land in the County of Gloucester Entailed on him and the heires of his Body upon his Settling other Lands of a greater Value to the Same Uses* with Some Amendments to which they desire the Concurrence of the House.—

The Orders for taking into consideration the Severall written messages from the Council on *Wednesday* and *Thursday* being read.—

Upon a motion

The House resolved it Self into a Committee of the whole House to consider the Said Messages, after Some time Spent therein *M^r Speaker* resumed the Chair and *M^r Corbin* reported from the Said Committee that they had under their consideration the Two written Messages from the Council and thereupon had come to Severall resolutions which he read in his place and delivered in at the Table and the Same was again read—

Ordered That the Said report be considered to morrow

Mr *Conoway* acquainted the House that Mr *Griffin* was indisposed with the Gout and Desired leave to return home which was accordingly given him—

Upon the motion of Mr *Stanop* he has leave to be absent til *Thursday* next

Resolved That the consideration of the Address to the King be referred til to morrow

Resolved That the Scheme referred to be consideration [considered] to day be considered on *Monday* next

Then the House adjourned til to morrow morning Ten a Clock.

Saturday. May the 24th 1718

UPON the motion of Mr *Lear* he has leave to be absent til *Thursday* next.

Mr *Custis* reported that the persons appointed had according to Order prepared a Bill for granting One Thousand pounds out of the Publick fund for the maintaining and Educating Scholars of the Colledge of *William and Mary* which he presented to the House and the Same being read the first time was Ordered to be read a Second time—

Mr *Eskridge* having obtained leave presented to the House a Bill to prevent Delays in Sending and presenting Bills of Exchange to the persons on whom the Same is drawn and for limiting the time of payment of protested Bills and the Same being read the first time was ordered to be read a Second time—

A Claim of *James Servant* was by leave of the House presented and referred to be considered with the Book of Claimes—

The Petition of *Miles Cary* Clerk of the Committee for Publick Claimes praying to be allowed the Same as the Clerk of the Committee of Propositions & Greivances was read and referred to be considered with the Book of Claimes

Mr *Conway* acquainted the House that Seven of the persons appointed had in Obedience to the Order of the House on Yesterday waited on the Governour and that he addrest himself to his Honour in the following words—

"May it please your Honour.

"Wee are ordered by the House of Burgeesses to wait on yo^r Honour and desire you "will be pleased to shew us what is to be done to perfect the Buildings and other works "directed by law for the Governour of this Colony to which his Honour was pleased to "return an Answer.

"Tell your House that I am alwaies ready to receive their messages or Addresses "from whatever Burgeesses they shall appoint to deliver them But if they shall think fit "to Send any of their Members to discourse with me I Expect they Depute Such Gent^l. "of their House as declare they are for treating me with decent good manners. Some "of those I See here present being Accustomed to Speak very irreverently of the Kings "Governours should I enter into Conversation with them. may perhaps forget what House "they are in and be apt to speak to me in their usual rude Termes—

The House being informed that Mr *Waters* and Mr *Mason* in contempt of the Order of the House on Yesterday had failed to wait on the Governour.

Upon a Motion—

Resolved That they withdraw til the House consider what may be necessary to be done thereupon And they accordingly withdrew

Resolved That Mr *Waters* and Mr *Mason* be called to the Barr of the House to give their reasons why they failed to obey the Order of this House on Yesterday And being called—

They made their Excuses and withdrew.

And their reasons being Judged frivolous.

Resolved That they be again called to the Barr of the House and Reprimanded by Mr *Speaker* and that they make an Acknowledgment of their offence Which being done

Ordered That they be admitted to take their places in the House—

Mr *Corbin* reported that the Committee of Propositions and Greivances had according to order prepared a Bill for Impowering the Treafurer of this Colony to pay and put out at Interest a Summe not Exceeding Eight Thousand pounds of the Publick money now in his hands which he presented to the house and the Same being read the first time was ordered to be read a Second time—

Upon the motion of Mr *Bridger* he has leave to be absent til *tuesday*—

The house proceeded to consider the Amendments proposed by the Council to be added to the Bill intituled *an Act to Impower Harry Beverley and others to build a Bridge over the Dragon Swamp* and the Same being read were agreed to and ordered to be inserted in the Bill—

The House also proceeded to consider the Amendment proposed by the Council to be added to the Bill intituled *an Act to Enable Michael Meggison of the County of King and Queen Planter to Sell certain lands in the County of Glocester Entailed on him and the heires of his Body upon his Settling other Lands of a greater value to the Same uses.*—

And the Same being read was agreed to and ordered to be added to the Bill—

Ordered That the Committee of Propositions and Greivances carrye the said Bills to the Council and acquaint them this House has agreed to the Amendments proposed thereto—

The House according to Order proceeded to the consideration of the report of the Committee of the whole house on Yesterday and the Same being read was agreed to as follows—

Resolved. That the Government be not Enabled to make good their Engagements to the Indian Company for rebuilding ffort *Christanna*

Resolved That the Government be Enabled to make good their Engagements to the Indian Company for maintaining the Hostages from 13th of *November* last

Resolved That the Government be Enabled to make good their Engagements to the Indian Company for maintaining the Guards from 13th of *Novr.* last

Resolved That the Government be Enabled to Send home the Hostages now at *Christanna* in a handSome manner to preserve the friendship of those Nations

Resolved That it is the Opinion of this House that the keeping up and guarding ffort *Christanna* is not any Service or Security to this country.

Resolved That a written Message be prepared to the Council according to the Subject matter of the Said Resolves

Ordered That Mr *Goodrich* Mr *Blair* Mr *Grymes* and Mr *Jones* prepare the Same—

Upon consideration of the Address to the King refer'd to be considered on this Day Some amendments were made therein and the House agreed to the Same as followes

To the Kings most Excell. Majesty The humble Address of the House of Burgesse. Most gracious Sovereign

Wee your Majestys most Dutifull and Loyall Subjects the Burgessees of this your antient Colony and Dominion of *Virginia* now assembled do heartily Embrace this first Opertunity humbly to Congratulate your Sacred Majesty on the Succes of your Armes against those Dangerous Rebels who blinded with party fury made Such desperate Efforts for the Subversion of our Religion and Libertys And likewise to return our unfeigned thanks for your great Care of the Trade of our Mother Country of which Wee (tho very remote) feel the happy Influences, and do firmly beleive the present flourishing Condition of this Country is next to the Divine Goodness owing to the wisdom of your Majestys Councells and glorious Administration.

Your great goodness displayed in the tender regard you shew for all yo^r Subjects gives us boldness at this time to approach your Sacred person and most humbly to represent That the Hon^{ble} *Alexander Spotswood* your Majestys Liev^t Governour pursuant to your Royall Commands hath Laid before this House your Order in Council bearing Date at *Hampton Court* the 31th of *July* 1717. And also your Royall Instruction Dated the 27th of *September* last—upon consideration of which Wee are humbly of Opinion That by the Said Instruction your Majestys Subjects may be deprived of the best meanes of

Raising

Raising a Revenue for the Support of this your great and most antient Colony let the Emergency be never So great til your Royall Pleasure is known therein which through our naturall Scituation Wee conceive may prove of dangerous Consequences to the future Safety of all your good Subjects residing here.

Wherefore Wee most humbly Implore your Majesty That you will be gratiofully pleased to allow us the Liberty of making Laws for the good and Support of this Colony as formerly it being often needfull Laws should take place immediately And as the Dependance we have on Trade will alwaies make us Cautious of laying vnnecessary Burthens upon it So the Negative with which your Govern^t is vested may alwaies be an Effectuall Barr thereto—

Wee further begg Leave to represent to your Majesty that the Judges of your Generall Court have from the first Settlement of this Colony had Cognizance of all Criminall Cafes which Jurisdiction was granted to them by the Letters patents of your Majestys Royall Predecessors and confirmed to them by Act of Assembly—

And Whereas her late Majesty Queen *Ann* was pleased by her Royall Instruction to appoint Two Courts of Oyer and Terminer to be held in this Colony every year with the gracious View That all persons accused of any Crime might be brought to a Speedy Tryall. The Hon^{ble} the Liev^t Governour pursuant to the Said Instruction is Impowered to appoint in the Said Courts what Judges he pleases (Exclusive of the Constant Judges above menconed), Nor doth he hold himself obliged So much as to take the advice of the Council in the nomination of the Said Judges whereby wee apprehend the Governour may have the lives and Estates of your Majesties good Subjects of this Colony very much in his power and will be able to defeat the Jurisdiction of your Majesties Said Generall Court whenever he shall think fit.

Therefore we most Earnestly pray That your Majesty out of your great goodness will direct by your Royall Instruction to your Governour That the Judges of your Generall Court (who being appointed by your Majesty out of the ablest and discreetest of your Subjects in this Colony, and holding their places during your Royall pleasure have alwaies with great Honour and Justice and to the generall Satisfaction of your People Discharged that great Trust) may be declared the only Justices of the Said Courts of Oyer and Terminer. Or that your Majesty will be pleased to restrain this Dangerous power in Such other manner as you in your great wisdom shall think most proper—

To you Great Sir we fly for Succour Our Safety is bound up in yours whilst you Sit Secure on the Throne of your Ancestors. the Oppressed can never want a powerfull and ready Defender. And therefore for our own and Countrys sake wee shall never cease to Implore the Divine Protection over you That the Almighty would effectually give you the hearts of all your Subjects and defeat the Designs of your Enemys and continue the Crown in your truely Protestant family to all Posterity—

Ordered That the Said Address be fairly transcribed.

Severall Claimes from the County of *Stafford* were by Leave of the House presented and referred to be considered with the Book of Claimes—

Mr *Grymes* having obtained Leave presented to the House a Bill Impowering and requiring Sherifs Constaibles and Coroners to make Sale of any goods and Chattells by any of them taken in Execution by virtue of any writt or writts of *feri facias Levare facias* or Tendred him on any *Capias ad Satisfaciendum* or taken by any Legall Distress whatsoever

And the Same was read.

After a Debate the Question was put

That the Said Bill be read a Second time

It passd in the Negative. And thereupon

Ordered. That the Same be Rejected—

Then the House adjourned til *Monday* Morning ten a Clock.

Monday

Monday May. 26th 1718

THE Houfe proceeded to the confideration of the Amendments propofed by the Council to the Bill intituled *an Act for preventing abufes in the Poft Office* and the Same being read the Houfe agreed to the firft with no Amendment, to the Second with an Amendment and to the third Difagreed to—

Ordered That the Committee of Propofitions and Greivances carry the Said Bill to the Council with the Amendments and acquaint them of the proceedings of the Houfe thereon and defire their Honours Concurrence thereto—

An Ingroffed Bill for better regulating the ferry over the River *Chichohominy* near the mouth thereof was read the third time—

Refolved That the Said Bill do pafs—

Ordered That the Committee of Propofitions and Greivances carrye the Same to the Council and Defire their Concurrence thereto—

A Bill for granting One Thoufand pounds out of the Publick ffund for the maintaining and Educating Scholars at the Colledge of *William and Mary* was read the Second time—

Ordered That the Said Bill be ingroffed

A Bill for Impowering the Treafurer of this Colony to pay and put out at Intereft a Summe not Exceeding Eight Thoufand pounds of the Publick money now in his hands.—

Ordered That the faid Bill be Ingroffed

A Bill to prevent Delays in Sending and prefenting Bills of Exchange to the perfons on whom the Same is drawn and for Limiting the time of payment of Protefted Bills was read the Second time And thereupon.

Ordered That the Said Bill be committed to the Committee for Publick Claims for Amendments

The Houfe proceeded to the confideration of the Book of Reports of the Committee for Publick Claimes. and the Same being read was agreed to with Some Amendments.

The Petition of *John Randolph* refer'd to be confidered with the Book of Claimes was read.

Refolv'd upon the Queftion

That the Same be rejected.

The Petition of *Miles Cary* Clerk to the Committee for Publick Claimes alfo refer'd to be confidered with the Book of Claimes was read.

Refolved upon the Queftion

That he be allowed the Same as the Clerk of the Committee of Propofitions and Greivances.

Ordered That the Clerk add the Salarys of the Offycers to the Book of Claimes as vfuall and that the Same be confidered to morrow—

Refolved. That it be an Inftitution to the Committee of Propofitions and Greivances to whom it is referred to prepare an Addrefs to the Governour that they anfwer in the Said Addrefs all thofe parts of the Governours Speech which are not already anfwered—

The Scheme refer'd to be confidered this Day is *Ordered* to be confidered to morrow—

Then the Houfe adjourned til to morrow morning ten a Clock

Tuesday May the 27th 1718

AN Ingroffed Bill for Impowering the Treafurer of this Colony to pay and put out at Intereft a Summe not Exceeding Eight Thoufand pounds of the Publick money now in his hands was read the third time

Refolved That the Said Bill do pafs—

Ordered That the Committee of Propofitions and Greivances carrye the Same to the Council and defire their Concurrence thereto

An Ingrossed Bill for granting One Thousand pounds out of the Publick fund for the maintaining and Educating Scholars at the Colledge of *William and Mary*, was read the third time—

Resolved *Nemine Contra dicente* That the Said Bill do pass—

Ordered That *Mr. Custis, Mr. Harrison, Mr. Randolph, Mr. Grymes, Mr. Jones, Mr. Stith, Mr. Goodrich, Mr. Jenkins, Mr. Burwell, Mr. Johnson, Mr. Wythe* and *Mr. Blair* carrye the Same to the Council and desire their Concurrence thereto—

The House proceeded to consider the Allowances to the Officers added to the Book of Claimes and the Same was read and agreed to as usuall

Ordered. That the Committee for Publick Claimes carry the Book of Reports to the Committee for Publick Claimes to the Council and desire their Concurrence thereto—

A Message from the Council by *Mr. Robertson* That the Council have passed the Bill intituled *an Act to Enable Michael Meggison of the County of King and Queen Planter to Sell certain Lands in the County of Gloucester Entailed on him and the heirs of his Body upon his Selling other Lands of a greater value to the Same uses* as Amended. As also that the Council have passed the Bill intituled *an Act to Impower Harry Beverley and others to build a Bridge over the Dragon Swamp* as amended.

Ordered That the Said Bills be Enrolled.

Ordered. That *Mr. Corbin* and *Mr. Blair* Examine the Address to the King and report to the House whether the Same be truly Transcribed.

A Message from the Council by *Mr. Robertson* That the Council have agreed to the Amendment proposed by the House to their Amendment proposed to the Bill intituled *an Act preventing Abuses in the Post Office* and that they Recede from those parts of their Amendments which are disagreed to by this House—

And that the Council have agreed to the Bill intituled *an Act for the better Secureing the payment of Levys and for the Punishment of Lewd and Idle People* with Some Amendments to which they desire the Concurrence of this House—

Ordered That the Amendments to the Bill intituled *an Act for preventing Abuses in the Post Office* as agreed to be inserted therein and that the Committee of Propositions and Greivances carrye the Same to the Council and acquaint them that the Said Amendments are agreed to—

The House proceeded to consider the Amendments proposed by the Council to the Bill intituled *an Act for the better Secureing the payment of Levys and for the punishment of lewd and Idle People* and the Same were read and agreed to—

Ordered That the Said Amendments be inserted in the Bill and that the Committee of Propositions and Greivances carrye the Same to the Council and acquaint them that the House have agreed to the Amendments Proposed thereto—

Mr. Corbin reported that the Address to the King with a Duplicate thereof had been Examined and that the Same was fairly transcribed.

Ordered That the Said Address with the Duplicate be Signed by the Speaker

Resolved That it is of absolute necessity that an Agent be appointed to Sollicite the Affaires of this Colony in *Great Brittain* and particularly to present the Address of this House to his Majesty.

Resolved. That *William Byrd Esq^r* be and is hereby appointed Agent for this Colony and that he be desired by the Speaker to take upon him to Execute the Said Office pursuant to the Resolves of this House

Resolved That the Said Agent shall be allowed out of the Publick Treasury of this Colony full Satisfaction for all his Disbursements and Trouble in Negotiating the Address to his Majesty and other affairs of this Colony

Ordered. That the Clerk of this House prepare Two Copies of the Journalls of this Session So Soon as it may be conveniently done and deliver the Same to *Mr. Speaker*.

Ordered That *Mr. Corbin, Mr. Harrison, Mr. Grymes, Mr. Blair, Mr. Conoway* and *Mr. Eskridge* prepare Instructions to the Said Agent and report the Same to the House and that *Mr. Cary* attend them as Clerk—

Resolved

Resolved That tis the Desire of this House That *Mr Speaker* Transmit to the said Agent the Two Copies of the Journalls aforesaid the Address to the King and the Duplicate together with Such Instructions as shall be agreed to by this House—

Resolved That the Scheme referred to be considered this day be considered to morrow Then the House adjourned til to morrow Morning Ten a Clock—

Wednesday. May y^e 28th 1718

M*R Harrison* reported that the Committee for Publick Claimes to whom the Bill to prevent Delays in Sending and presenting Bills of Exchange to the persons on whom the Same is drawn and for limiting the time of payment of protested Bills had prepared Some Amendments thereto

The House proceeded to consider the Said Amendments And the same being read The Question upon a motion was put

That the Bill with the Amendments be Ingrossed

It past in the Negative And thereupon.

Resolved That the Said Bill with the Amendments be rejected

The House being informed that *Mr Buckner* attended at the Door in Custody of the Messenger according to the Order of the House.

Ordered That the Said *Mr Buckner* be called to the Barr of the House and required by *Mr Speaker* to given an Account of the Book of Proportions of the last Assembly, as also to give reasons why he entred the Liev^t Governours Speech made to the last Assembly upon the Dissolution thereof.

And being called and required accordingly he answered

That he left the Book of Proportions of the last Assembly in the Office of the House of Burgeses and was ready to make Oath of it That upon the Dissolution of the Assembly he was informed his Commission determined and therefore gave the Key of the Office to the Clerk of the Gener^l Assembly as he thought it his Duty.

That he did prepare Several Copies of the Journalls of the last Assembly which he Sent to the Liev^t Governour without the Addition of his Honours Speech, upon the Dissolution thereof And thereupon by a Letter from *Mr Robertson* was told that it was the Governours pleasure that his Said Speech should be added.

The Said Letter with Some Prefidents in the printed Votes of the Parliament of *Great Britain* of the twelfth of *May* in the year 1711 and of the 15th of *July* in the year 1717 he delivered to the House and withdrew

Ordered That *Mr Buckner* make Oath before some Justice of the Peace for the County of *York* of the truth of his answer concerning the Book of Proportions aforesaid which he accordingly did. Part of the Said letter was read and is as followes.—

“The Governour has received the Journal and Laws Sent by yo^r Boy but observing “that thō you take notice of his passing the Acts you have Omitted to InSert his Speech “at the Close of the Session which is as necessary to Compleat the Journal as the other “and indeed more because without it it does not appear what became of the House And “It is observable in the Journalls of the House of Commons that not only the passing “of the Acts but the Speech made both by the Sovereign and Lord Chancellor or Lord “Keeper at the Conclusion of the Session are inserted as you will find particularly in “the Votes in 1711 which I beleive you have by you, Wherefore the Governour has “ordered me to Send you back the last Sheet of your Journall Together with a Copy “of his Speech that you may insert it in its proper place in the Several Journalls you “are to prepare for him and for the Office

Sign^d *Wil Robertson*

Dated *Williamsburch* 7^{ber} 30th 1715

Upon consideration of which and the prefidents aforesaid

Resolved. That the Enttring the Liev^t Govern^rs Speech at the end of the Journal of the last Assembly at the Dissolution thereof is without prefident & vnwarrantable

Ordered

Ordered That the said Mr Buckner be discharged out of Custody paying fees.—

A Message from the Council by Mr Robertson

That the Council have passed the Bill intituled an Act for better regulating the ferry over the River Chickahominy near the mouth thereof without any Amendment.

Also that the Council have passed the Bill intituled an Act for preventing Abuses in the Post Office as also the Bill intituled an Act for the better Secureing the payment of Levys and for Punishment of Lewd and Idle People as Amended.

Ordered That the said Bill be Inrolled.

Mr Corbin reported.

That the Committee of Propositions and Greivances had according to Order. prepared an Address to the Governour which he read in his place and delivered in at the Table and the Same was again read and agreed to by the House as followes.

*To the Hon^{ble}: Alexander Spotswood his Majesties Liev^t Governour of Virginia
The humble Address of the House of Burgeesses. May it please Yo^r Honour*

Wee his Majest^s faithfull Burgeesses of this his most antient Colony and Dominion of Virginia now met in Affembly having maturely considered yo^r Hon^{rs} Speech at the Opening of this Session & yo^r Message of the ninth Instant together with the Severall Papers you thought fit to lay before us Do return our hearty Thanks for the Same and with all humility take Leave to acquaint you That as you were pleased to Signifie to us Wee were convened not to raise Supplys to defend our Estates or to Support the Government But to find the best waies and meanes to dispose of the greatest Bank of money that ever was at One time in our Publick Treasury

Wee humbly apprehend That One Thousand pounds thereof cannot be appropriated to a better use that towards the Education and Support of the Youth of this Colony in the Colledge of William and Mary which hath been So happily founded by the gracious Bounty of his Majesties Royall Predecessors And wee having prepared a Bill for that purpose doubt not of your Honours ready Concurrence in a Design which may prove So truly beneficial to us and our Posterity.

Wee assure yo^r Hon^r: Wee have had due regard to all Engagements requisite to be Discharged out of the Publick Treasury and it is a very great Satisfaction to find our Country under a necessity of Exhausting but an Inconsiderable Summe of the Revenue therein but as we think it absolutely necessary for the promoting of the Trade of this Colony That the Remainder should Circulate in the Country. Wee have by a Bill prepared for that end directed that a Summe not Exceeding Eight thousand pounds may be put out at Interest as the best meanes we can find to Improve the Same and hope for yo^r Honours Concurrence thereto

As it was our Duty So wee have with the greatest readines applied our Selves to consider what his Majesty was most graciously pleased to recommend to us with respect to the Indian Company and have considerately inspected those Accounts which they have laid before us and are of Opinion that One hundred Pounds advanced by them towards building a Magazine be repaid the Said Company out of the Publick money. But as it doth not appear to us that any other Summes menconed in the Said Companys Accounts have been Expended for the benefit of this Country We should be unjust to our Selves and those we represent if we agree to allow the Same out of the Publick money.—

Wee are not apprized of any abuses in the Indian Trade and therefore cannot lay it under any regulations but shall alwaies be willing to take proper measures for preventing both the Irregularitys of the Traders and the ill Consequences thereof—.

Your Honour having been pleased to informe us that the Northern Indians Expect we should renew the Treaty made with them by the Lord Howard. Wee can make no other Answer thereto than that (as we know of no violation of that Treaty on our parts Wee must humbly referr what is proper to be done in that affair to your Honour and the Council who we are entirely Satisfyed will take Such measures as are most Expedient to preserve the friendship of those Nations

Wee

Wee conceive by the Severall Treatys your Honour hath made with the Indians your Design was to Settle a Barrier to our frontiers against the Incurfions of fforreign Indians but Seeing the *Saponies* are the only People that have Complied with their Treaty. Wee are of Opinion your first good intention is thereby frustrated and cannot think the keeping up ffort *Christanna* purely for their Security any waies reasonable. and hope they may be content with the Same Protection other Tributarys Enjoy.—

Wee humbly conceive the Hostages delivered by the *Cattabaw* Indians were taken for the Security of the Indian Traders and think it reasonable That as that Law which Erected the Indian Company. is repealed they should be returned in Such manner as may but presume a good understanding with that People—in Case the persons concerned in that Trade do not think it worth their while to maintain them.

As the Account yor Honour hath given us of your many fatiguing Journeys undertaken for the Service of this Government, convinces us of your great diligence So Sir we hope they will give you the Satisfaction of reflecting that you have deserved the Sallary allowed by his Majesty.

On confideration of the Royall Instruccion you were pleased to lay before us Wee have p^rpared an humble Addrefs to our Sovereign beseeching him to recall his Additional Instruccion whereby he hath signified his pleasure. that the Governour here do not for the future pass any Act which may affect the Trade and Shipping of *Great Brittain* until it hath been there approved and that he will permitt our Governour to pass any Act that shall by the Generall Assembly be thought for the Service of his Majesty and this Government—And likewise thought it requisite in the Said Addrefs to beseech his Majesty that the power with which his Govern^r is vested in appointing the Judges of Courts of Oyer and Terminer may be limited for that we apprehend Such power may prove of Dangerous Consequence.

The Bills which have been Sent up by us to the Council are chiefly founded upon the Grievances and Propositions of the People whom we represent And we hope Sir that those which have had the Approbation and Concurrence of their Hon^{rs} will obtain your favourable Assent

Ordered. That the Said Addrefs be fairly transcribed and Signed by the Speaker and that the Same be delivered by the whole house.—

A Bill to repeal part of an Act made in the Twelfth year of her late Majesty Queen *Ann* for finishing the Governours house and for granting to his Honour the Summe of Two hundred and fifty pounds for perfecting the work was by leave of the House presented and read the first time and ordered to be read a Second time

The House having considered the Scheme referred to be considered on this Day.

Ordered. That the Same be Lodged in the Office of the House of Burgeffes with the Accounts of the Governours House and other Buildings—

Then the House adjourned til to morrow morning ten a Clock.

Thursday May the 29th 1718

A BILL to repeal part of an Act made in the Twelfth year of her late Majesty Queen *Ann* for finishing the Govern^r House and for granting to his Honour the Summe of Two Hundred and fifty pounds for perfecting the work was by Leave of the House presented and read the Second time.

Ordered That the Said Bill be Ingrossed.

Ordered That the Committee of Propositions and Greivances wait on the Governour to know when and where his Honour will be attended by this House with their Addrefs—

The House taking into consideration That the Body of his Excellency *Edward Nott* late Governour of *Virginia* lyes interred in the Church Yard of *Williamsburch* and that hitherto no Monument has been Erected to the memory of him, thô his prudent and

Eafye

Eafye Adminiftration while he prefided over this Country moft Juftly deferves to be tranfmitted to Pofterity

Resolved Nemine Contra dicente.

That a Summe not Exceeding Sixty pounds be paid to *John Clayton* Efqr out of the money in the Treafurers hands by him to be laid out on a Monument of Marble to be Erected in the Church yard of *Williamfburgh* to the Memory of So deferving a Governour with Such Infcription as he fhall think proper—

Resolved That the Summe of One hundred pounds out of the money in the Treafurers hands be paid to the Speaker as a Token of the Refpect this Houfe beares him

Ordered That Mr *Harrifon* Mr *Burwell* Mr *Braxton* and Mr *Prejley* wait on the Governour and Council with the Said Refolves and defire their Concurrence thereto

Mr *Corbin* reported that the perfons appointed had according to Order waited on the Governour to know when and where his Honour would be waited upon by this Houfe with their Addrefs. And that he was pleafed to Say. To morrow morning at Ten a Clock in the Council Chamber.

A Meflage from the Council by Mr *Robertfon*

That the Council have paffed the Bill intituled *an Act for granting One Thoufand pounds out of the Publick ffund for the maintaining and Educating Scholars at the Colledge of William and Mary* as alfo the Bill Intituled *an Act for Impowering the Treafurer of this Colony to pay and put out at Intereft a Summe not Exceeding Eight Thoufand pounds of the Publick money now in his hands without any Amendment.*

Ordered That the Said Bills be Inrolled.

An Ingroffed Bill intituled *an Act to repeal part of an Act made in the Twelfth year of her late Majefty Queen Anne for finifhing the Governrs Houfe and for granting to his Honour the Summe of Two hundred and fifty pounds for perfefting the faid work* was read the Third time

Resolved. That the Said Bill do pafs—

Ordered That the Committee for Publick Claimes carrye the Same to the Council and defire their Concurrence thereto—

Mr *Goodrich* reported that the perfons appointed had according to order prepared a meflage to the Council on the Refolves of this Houfe on the Twenty fourth Instant which he read in his place and delivered in at the Table, and the Same was again read and agreed to with an Amendment as follows.—

By the Houfe of Burgefles

May it please Yo^r Honours.

Wee have Seriously confidered your meflages relating to the Engagements made by the Government with the late Indian Company Since the repeal of the Act for regulating the Indian Trade. And as we ought ever to fhew a ftrict and due regard to the publick faith of the Government in every particular which we can conceive to be for the defence Service or Security thereof. Wee have agreed to Enable the Government to make good their Engagements to the late Indian Company for maintaining the *Cattabaw* Hoftages and the Guards at *Chriftanna* from the 13th of *November* laft til the laft of *June* next. But we cannot Concurr with your Honours in Opinion That the repairing ffort *Chriftanna* is of Service or Security to this Country.

Your Honours are pleafed to inform us That the Erecting the faid ffort was founded on a Scheme formed by the Governour of Setling out the Severall Nations of Tributary Indians. according to the Treatys now before this Houfe of Erecting fforts at their Settlements & maintaining a Standing Guard therein which fhould do the Duty of Rangers from the One of thofe Settlements to the other and thereby leffen the Charge of that Standing Guard which the Country had for Some Yeares before maintained.

How beneficial this Project might have proved had it ever been Experienced we fhall not take upon us here to determine but as we are convinced that no One Nation Except the *Saponies* have Submitted to perform their Treaty. Wee are of Opinion that
firft

first intention is intirely fruſtrated And that the Charge of keeping up ſſort *Chriſtanna* purely for the Security of thoſe few people is no way neceſſary or reaſonable.—

It Evidently appears that even the Houſe of Burgeſſes which approved that work took particular Care to prevent its becoming a Publick Charge and that there was other motives to induce them to approve we think appears as plainly.

Your Hon^{rs} Arguments from the Tranquility which that part of the Country hath Enjoyed Since the Erecting that ſſort we think may briefly and Effectually be answered in the Inſtance of the unhappy *Cattawbaws* and wee hope you will be of Opinion that after this Houſe have reſolved not to continue the Expence of the Said ſſort we have no waies Erred in our Duty by reſuſing to repair the Same Eſpecially when we think the late Indian Company bound to deliver it up in good repair.

Wee have alſo conſidered that part of your meſſage relating to the keeping the *Cattawbaw* Children and are humbly of Opinion that thoſe Hoſtages were taken principally for the Security of the Indian Traders and were not then deſigned to be kept at the Charge of the Country. But as the Law which Erected the Indian Company is repealed if the perſons concern'd in that Trade will not maintain them we think it reaſonable they ſhould be returned at the Charge of the Country in Such a handſome manner as will beſt preſerve a good underſtanding with that People And we hope your Honour will as Soon as conveniently you can cauſe to be laid before this Houſe a reaſonable Computation of the Charge of Sending home the *Cattawbaw* Children with an Account what Sum^s of money will anſwer the Engagements we have agreed to Diſcharge—

Ordered That the Said Meſſage be fairly tranſcribed and Signed by the Clerk and that the perſons who prepared the Same carrye it to the Council—

Then the Houſe adjourned til to morrow Morning ten a Clock

Fryday May the 30th 1718

A MESSAGE from the Council by Mr *Robertſon*
That the Council have paſſed the Book of Claimes, and that the Governour has aſſented thereto.

A Committee to Proportion the Publick Levy
Mr *Hariſon*..... Mr *Bolling*
Mr *Eskridge*..... Mr *Goodrich*

Reſolved That the Severall money Allowances menconed in the Book of Claimes be paid out of the Publick money in the Treafurers hands—

Ordered That Mr *Hariſon*, Mr *Burwell* Mr *Braxton* and Mr *Preſley* carrye the ſaid Reſolve to the Governour and Council and deſire their Concurrence thereto.

The Houſe went up to wait on the Governour in the Council Chamber wth their Addreſs. and being returned Mr *Speaker* reported That he had waited on the Governour with the Humble Addreſs of this Houſe and that his Honour was pleaſed to return an Anſwer of which he had obtained a Copy as follows.

As I may well thank you Gentlemen for the Opportunity you have afforded me during the Seſſion to Shew my moderation in Government. So I muſt give you thanks for this Change in your Behaviour And that you are come at laſt to Expreſs your Selves in more reſpectful Termes. tho the matter of your preſent Representation be ſtil generally Such as I can by no meanes Concur with you therein But I ſhall not keep contending with you thereupon for when I conſider the daily Charge of your Sitting I Judge it not worth while and my thoughts are *Le Jeu ne vaut pas la Chaudelle*

What I left at the Opening of this Seſſion to Yo^r Conſultations I perceive you now reſerr back to me to adviſe with the Council thereupon So that the Meaſures to be taken with the Northern Indians is a work now to be begun and Such is the Circumſtances of the Government, That I think it cannot be perfected without your Aſſiſtance. But I obſerve by your reading Bills twice in One Day; that you are hurrying all buſineſs

over

over and understand that it is out of an Impatience to be at your own Plantations in the approaching Holy Dayes. Wherefore I am willing to give you a Recess by Adjournment for a fortnight or a month as it shall best please you And whatever Bills you have ready to be offered for my Assent, I shall either this day pass them or take time to consider them during your Adjournment.

Mr *Corbin* reported that the persons appointed had according to Order prepared Instructions to *William Byrd Esq^r* Agent for *Virginia* which he read in his place and the Same being delivered in at the Table was again read and agreed to by the House with an Amendment as follows.

Instructions to *William Byrd Esq^r* Agent for *Virginia*

1 You are desired to lay before his Majesty the Address of the House of Burgesses and to negotiate that affair to Effect

2 The House have thought fit to Send their Journall for your Perusal and in case any misrepresentation should be made of their proceedings you are desired to have regard to their Honour

Ordered That the said Instructions be fairly transcribed and signed by Mr *Speaker*

Ordered That Mr *Randolph* Mr *Eskridge*, Mr *Diggs*, and Mr *Mason* Examine the Severall Inrolled Bills and make report to the House whether the Same agree with the Ingrossed Bills.

A written message from the Council by Mr *Robertson*

Mr *Speaker* and Gentlemen of the House of Burgesses.

The Council have had under Consideration your message relating to the returning the Indian Hostages, and are of Opinion that the best way of Sending back these Hostages will be by a message Sent to their Nations to come for them and Since it will require time to find out proper persons to go on that Message. and also to make a Computation of the Charge both which will be best effected during the Adjournment of the Assembly We therefore propose that the time for maintaining the Hostages and Guard may be enlarged at least til the last of *July* That we may be the better Enabled to lay before you at the next meeting of the Assembly Such a Computation of the Charge as is desired in your Message

May 30th 1718

By order of the Council

Wil Robertson Cl Gen. Ass^{bly}

The House proceeded to the Immediate consideration of the Said message and the same being read.

Resolved That the House doth approve of the method of returning the Indian Hostages proposed by the Council, and that they with the Guard be maintained til the last of *July* at the Charge of the Country.

Ordered That a Copy of the said Resolve be Sent to the Council in answer to the Said Message, and that Mr *Diggs* Mr *Mason*, Mr *Presly* and Mr *Barber* carrye the Same—

Mr *Randolph* reported That the persons appointed had according to Order Examined the Severall Inrolled Bills, and that they found them to agree with the Ingrossed Bills

Ordered That the persons who Examined the Said Bills carrye the Same to the Council

A Message from the Council by Mr *Robertson*

That the Council have agreed to the Resolves of this House Sent up to them this Day; and that the Governour had also assented to them—And that the Council were satisfied the Severall Bills Sent up to them were truly inrolled.

A message from the Govern^r by Mr *Robertson*

The Govern^r Commands the immediate attendance of this House in the Council Chamber and that you bring with you Such Bills as are ready for his Assent

Mr *Speaker* with the House accordingly went up to attend his Honour and he was pleased to give his Assent to the following Bills

An Act for Settling the fees of the Secretary, County Court Clerks, Sheriffs Coroner and Constables and for ascertaining the fees of Attornys to be allowed in a Bill of Costs—

An

An Act to Impower Harry Beverley and others to build a Bridge over the Dragon Swamp—

An Act for granting One Thousand pounds out of the Publick ffund for the maintaining and Educating Scholars at the Colledge of William and Mary.

An Act to Enable Michael Meggison of the County of King and Queen Planter to Sell Certain lands in the County of Glocester Entailed on him and the heires of his Body upon his Selling other Lands of a greater value to the Same Uses—

The House being returned Mr *Speaker* acquainted them that the Hon^{ble} the Liev^t Governour had given them leave to adjourn til *Thursday* the Tenth day of *July* next.

Resolved That the House do now adjourn accordingly

And the House was accordingly adjourned to *Thursday* the Tenth day of *July* next

Thursday July the 10th 1718

MR *Speaker* and Twenty Six Members mett in the House
A message from the Hon^{ble} the Liev^t Govern^r by Mr *Robertson*

The Governour Commands the Immediate Attendance of this House in the Council Chamber

Mr *Speaker* with the House went up accordingly to attend the Governour and his Hon^r was pleased to make the following Speech
Gentlemen of the House of Burgeffes

I would willingly have Spared the Country the Charge and you the Trouble of coming hither in this warm Season of the year but in the Opinion of the Council you being under an Adjournment could not be prorogued by Proclamation

Now you are mett in Affembly I have no new matters to lay before you; Nor do I know of any businefs you have had in hand that I can venture to Concurr wth you in) but may as well be accomplished when more urgent Occasions fhall require your Sitting and to finish the work of your Sessioⁿ there remains nothing more needfull than the Levy Bill; yet even that will be Equally the Same to the Publick Creditors, whether it should pass now or four months hence—

Since your House has declined to provide for the defence of the ffrontiers and the Councils advice is to take no measures with the Northern Indians until they actually commit Hostilitys on this Colony, I cannot think it prudence to leave this Affembly under a long prorogation Especially while those Indians are upon our ffrontiers threatening destruction to our Tributarys and reeking with the Blood of our Allies So that I must keep you in a readinefs to build up the wound Since you will not be perswaded to ward off the Blow

And therefore I shall prorogue you for no longer than a month but intend not to give You the Trouble of meeting so soon, without Some Extraordinary occasion and this Affembly is accordingly prorogued to *Thursday* the Seventh day of *August* next

JOURNAL

OF THE

HOUSE OF BURGESSES

AT A

GENERALL ASSEMBLY

begun at the Capitol the 23^d day of *Aprill* Anno Dom 1718 In the Fourth Year of the Reign of our Sovereign Lord GEORGE by the grace of God of *Great Brittain France & Ireland* King, Defender of the Faith &c; and thence continued by Prorogation and Adjournment to the 11th day of *November* 1718, Being the Second Session of this present Assembly.



RICHMOND, VIRGINIA.

MCMXI.

JOURNALL

of the

HOUSE OF BURGESSES.

Tuesday November the 11th 1718

ORDERED That the House be called over To morrow morning.
A Message from the Governor by Mr *Robertson*,
Mr *Speaker*

I am commanded by the Governor to acquaint this House that His Hon^r having nothing immediately to lay before you, desires you will proceed on such Propositions & Grievances as you have in Charge from your Countys.

Then the House Adjourned till Tomorrow morning 10 a'clock.

Wednesday November the 12th 1718

THE House was according to order called over, And thereupon

Ordered That Mr *Barber* Mr *Digges*, Mr *Broadnax*, Mr *Custis* & Mr *Stanup* wait on the Governor and desire his Hon^r to issue a new Writt for the electing a Burgefs to serve in this present Generall Affembly for the County of *York* in the room of *James Burwell* Gent deceas'd

Resolved That the Absence of those Members who did not appear at the calling over the House be excused

Ordered That the Clerks and Door keepers appointed last Session be continued this Session, and that they give their Attendance accordingly

Ordered That the Reverend *Hugh Jones* be continued chaplain to the House, and that he attend every morning at 9 a'clock in the Conference Room to read divine Service.

A Committee for Elections & Priviledges

Mr *Eskridge* Chairman

Mr *Presly*.....Mr *Grymes*

Mr *Griffin*.....Mr *Buckner*

A Committee for Publick Claimes

Mr *Harrison* Chairman

Mr *Barber*.....Mr *Digges*

Mr *Neal*.....Mr *Goodrich*

Mr *Boush*.....Mr *Johnson*

Mr *Baylor*.....Mr *Bolling*

Mr *Brodnax*.....Mr *Fitzhugh*

A Committee for Propositions & Grievances

Mr *Corbin* Chairman

Mr *Marable*.....Mr *Jenkins*

Mr *Merriwether*.....Mr *Jones*

Mr *Conway*.....Mr *Blair*

Mr *Custis*.....Mr *Bridger*

Mr *Eskridge*.....Mr *Grymes*

Mr *Randolph*.....Mr *Cole*

Ordered

Ordered That the Committee have power to adjourn themselves from day to day, and to fend for perfons, Records Journals & other papers they fhall from time to time have occafion of.

Refolved That all Propositions Grievances & Publick Claims be brought into the Houfe on *Friday* next at fartheft or not to be received in this Seflion of Affembly, without particular leave of the Houfe.

The Orders of the Houfe for the laft Seflion being read

Refolved That the Houfe doth approve of the fame, and that they continue Orders for this Seflion

Severall Claims from the Countys of *Henrico Charles City & Middlefex* were prefented to the Houfe and Referr'd to the Committee for publick Claims to examine the fame and report their Opinion thereon to the Houfe

Ordered That the Treafurer lay his Accounts before this Houfe on *Tuesday* next, or fooner if he can conveniently

Ordered That the Clerk give the Treafurer notice of this Order by a letter and that the Meffenger deliver the fame

Ordered That Mr *Holloway* and Mr *Clayton* lay before the Houfe on *Munday* next their Accounts of the money they are Intrufted with by virtue of an Act made in the year 1713 impowering them to receive of the Truftees for the City of *Williamfburgh*, and of all other perfons w^t foever all moneys by them received for Lotts of land and otherwife for the benefit of the faid City, and the Sum of Two hundred & one pound nine fhillings & nine pence of *Robert Carter* Efqr. , and to apply Such money to certain ufes; and alfo for Impowering them to keep the Accompts of the Governor's houfe, and directing the finifhing the fame.

Ordered That the Committee for Propositions & Grievances inspect the Journal of the laft Seflion, and report to the Houfe what they find neceffary to be further confidered this Seflion.

Ordered That the faid Committee do make Enquiry whether any Laws are near expiring and report the fame to the Houfe

Ordered That the Committee for Publick Claims inspect the Report of the faid Committee at the laft Seflion, and Report to the Houfe what they find neceffary to be further confidered this Seflion.

Mr *Dangerfield* having taken the Oaths appointed by Law, and Subfcribed the Teft, took his place in the Houfe.

Mr *Grymes* having obtained leave prefented to the Houfe a Bill Declaring who fhall not bear Office in this Country. And the fame being read the firft time was

Ordered to be read a Second time

Upon the motion of Mr *Jones*, he has leave to be abfent til *Saturday* next.

Then the Houfe Adjourned till Tomorrow morning 10 a'clock.

Thursday November y^e 13th 1718

SEVERALL Claims from the Countys of *Effex & Prince George* were prefented to the Houfe and referr'd to the Committee for Publick Claims to examine the fame and report their opinion therein to the Houfe

A Petition of *William Kimball* praying an Allowance as Interpreter to the *Sapony* and other Indians

A Petition of *Henry Briggs* praying an Allowance as Interpreter to the *Nottoway Maherine & Nanfemond* Indians

A Petition of *John Randolph*, praying to be allowed for fix Copys of the Journal, and five five Copys of the Laws of the laft Seflion

Were Severally prefented to the Houfe & read

Ordered

Ordered That the confideration of the faid Petitions be referr'd to the Committee for Publick Claims, and that they examine the fame and report their Opinion thereon to the Houfe.

A Claim of *George Allen* for Vifits and Phyfick adminiftred to a prifoner in the Country Goal was prefented to the Houfe and refer'd to the Committee for Publick Claims to examine the fame and report their opinion thereon to the Houfe.

Mr *Corbin* reported from the Committee of Propofitions & Grievances to whom it was referred to inspect the Journal of the laft Seffion, & report to the Houfe what was neceffary to be further confidered this Seffion, That the Said Committee had had the fame under their Confideration, and were come to fome Refolutions, which he read in his place and delivered in at the Table, And the fame was again read

And upon confideration of part of the faid Report

Resolved That the propofition from the County of *Northampton*, relating to the printing the Laws of this Country, and expofing the fame to Sale in every County, referr'd to the confideration of this Seffion of Affembly be referr'd to the confideration of the next Seffion of Affembly

And upon confideration of the Report of the faid Committee on part of the hon^{ble} the Lieu^t Governor's Speech on the 10th of *July* laft, in thefe words [Since your Houfe have declined to provide for the defence of the Frontiers]

Resolved That it is the opinion of this Houfe that the Militia as by Law eftablifhed is the proper Defence of the Country.

Mr *Corbin* alfo reported from the 1st Committee, That the Act for laying a Duty on Liquors & Slaves will expire on the tenth day of December next: And alfo that the Act for fupply of certain defects found in an Act prefcribing the method for appointing Sherifs is lately expired.

Upon confideration of which

Resolved That there is no neceffity to continue the faid Act for laying a Duty on on Liquors & Slaves

Resolved That the faid Act for fupply of certain defects found in an Act prefcribing the method for appointing Sherifs, be not Revived.

A Bill declaring who fhall not bear office in this Country was Read a Second time, and thereupon

The Queftion was put

That the faid Bill be amended

Resolved in the Affirmative: And an Amendment being made therein

Ordered That the Bill with the Amendment be Ingroffed.

A written meffage from the Governor & Council by Mr *Robertfon*

Mr *Speaker* and *Gentlemen of the Houfe of Burgeffes*.

The Governor and Council having taking into confideration the dangers which threaten the Trade & Shipping of this Colony, by the Refort of Pyrats to *North Carolina*, and more efpecially from that Crew now there under the command of Cap^t *Tach*, who having rendered themselves incapable of his Majefty's mercy by their repeated Piracys fince the 5th of *January* laft (in which time as appears by the Evidence on the Tryal of *Tach's* Quarter Mafter, they have plundered near Twenty Ships & Veffels) Seem refolved to continue in the fame piratical courfe, and have actually committed divers Acts of Piracy fince their pretended Surrender: And there being certain Advice that they threaten to revenge on the Shipping of this Country the taking up the above mentioned Quarter Mafter. For thefe reafons the Governor and Council think it abfolutely neceffary that fome speedy and Effectual Meafures be taken for breaking that Knott of Robbers, Seeing it is unpracticable for his Maj^{ties} Ships of War to come at them in the Inletts where they lye. And therefore that encouragement may be given for fitting out Sloops to attack them by Sea, or for inducing the Inhabitants of *Carolina* to feize them at land It is propofed that over & above the Rewards promifed by his Maj^{ties} proclama-
tion,

tion, there be given by this Government as an Encouragement for apprehending the^d Pyrats, the Rewards following *Viz*

For Cap^t *Tach* the Sum of £100.

For every other Commander of a Pyrate Sloop or Veffell the Sum of £40.

For every Lieutenant, Mafter, Quarter Mafter, Gunner, Boatfwain or Carpenter £20.

For every other Inferiour Officer £15.

And for every private man £10.

And that your Houfe will enable the Government to pay the faid Rewards upon the apprehending of any of the faid Pyrates refpectively So as they be brought to Tryal and convicted.

The Governor and Council doubt not your ready concurrence wth them in a matter which will prove very acceptable to his Majefty and wherein the Welfare of this Colony is fo much concerned.

By order of the Gov^r & Council

November 13th 1718

Wil Robertson Cl G Affy

Resolved That the faid Meffage be taken into confideration To morrow

A Petition of the Frontier Inhabitants of *Henrico & New Kent* praying that Guards may be eftablifhed to defend them from the Indians being referred from the Governor & Council, was read

Resolved That the faid petition be rejected

Then the Houfe Adjourned till To morrow morning 10 a'clock.

Friday November the 14th 1718

A PETITION of *James Adams* praying an Allowance as Interpreter to the *Chichahominy & Pamunky* Indians, being referr'd from the Council was read and

Referred to the Committee for Publick Claims to examine the fame and report their opinion thereon to the Houfe

A Petition of the Upper Inhabitants of the parifh of *S^t John* in the County of *King William*, praying that the f^d parifh may be divided, being referr'd from the Governor & Council, Was Read and

Referr'd to the Committee for Propositions & Grievances to examine the fame and report their opinion thereon to the Houfe.

Severall Claims from the Countys of *James City & York*, were prefented to the Houfe and referr'd to the Committee for publick Claims to Examine the fame and report their opinion thereon to the Houfe.

A Claim of *John Brodnax* Keeper of the Country Goal was prefented to the Houfe and referr'd to the Committee for publick Claims to examine the fame, and report their opinion thereon to the Houfe.

The Houfe being informed that the Bell to the Capitol Clock is removed

Upon a Motion

Ordered That *John Brodnax* attend to morrow morning to inform this Houfe by what Authority the Said Bell was removed.

The Houfe according to order proceeded to take into confideration the Written Meffage from the Governor & Council, And the faid Meffage together with a letter to the Governor dated the 10th of *November* 1718, giving an acco^t of Severall Acts of Piracy lately committed on the Coaft of this Colony, was read and thereupon

Resolved That the feveral Rewards propofed by the Governor & Council as an Encouragement for the taking of Pirates, be agreed to, and that a Bill be prepared accordingly.

Resolved That the faid Bill be enacted for one year and no longer, And that it do not extend to Pirates take[n] further Southward than the Latitude of 34 or further Northward

ward than the Latitude of 39 or more than one hundred Leagues from the Land unless they be taken by any Ships or Veffels belonging to the Provinces of *Virginia* or *North Carolina*.

Ordered That the Committee for Propositions & Grievances prepare & bring in the said Bill

A Petition of the Lower Inhabitants of the parish of *S^t John* in the County of *King William*, Setting forth Reasons against the petition of the Upper Inhabitants of the said parish, being referr'd from the Governor & Council, was read and

Referr'd to the Committee for Propositions & Greivances to examine the same and report their opinion thereon to the House.

An Ingrois'd Bill Entituled *An Act declaring who shall not bear Office in this Country* Was read the third time

Resolved That the Bill do pass

Ordered That Mr *Blair* Mr *Grymes* Mr *Stith* Mr *Johnson* & Mr *Mason* do carry the same to the Council and desire their concurrence thereto

Then the House Adjourned till Tomorrow morning 10 a'clock

Saturday November the 15th 1718

CLAIMS from the Countys of *New Kent* & *Gloucester* being by the leave of the House received were referr'd to the Committee for publick Claims to examine the same and report their opinion thereon to the House

Ordered That the House be called over on *Monday* next at twelve a'clock

John Brodnax attending (according to order) was called in, and informed the House that he delivered the Keys of the Capitol to Mr *Holloway*, and that the Bell belonging to the Clock was removed by Mr *Holloways* Negros and one *Richard King*, and then withdrew

Ordered That the bell be forthwith returned

Ordered That *John Brodnax* acquaint Mr *Holloway* with the said Order and return his answer to the House on *Monday* next.

After which *John Brodnax* was called in again and demanded (by order of the House) to give an account of the furniture belonging to the Capitol, Whereupon he answered that the Doors were broke open and the Chairs removed without his knowledge and then withdrew.

Ordered That Mr *Corbin* Mr *Blair* & Mr *Conway* be appointed to inquire what Furniture has been provided for the Capitol, what remains and in what Condition it is and that they report the same to the House

Ordered That they have power to send for such persons & papers as they shall have occasion off and that Mr *Pool* attend them as Clerk

Then the House Adjourned till *Monday* morning 10 a'clock

Monday November the 17th 1718.

THE House according to order was called over

Resolved That Mr *Waters*, Mr *Floyd*, Mr *Robinson* & Mr *Ewele*, be not admitted to take their places in the House till they have given Reasons for Absenting themselves from their Service in the Assembly.

Mr *Holloway* & Mr *Clayton*, according to order, layd their Accompts before the House;

Ordered That the said Accompts do ly on the Table

A Claim of *James Shields* for entertaining Indians, being by the leave of the House recieved, was Referr'd to the Committee for Publick Claims to examine the same and report their opinion thereon to the House.

A Petition of *William Cocke Esqr* praying to be allowed for Issuing a Writt for Election of a Burgefs

A Petition of *Chicheley Corbin Thacker* praying to be allowed as Clerk to the Secretary's Office till *October* last

Were Severally presented to the House and read

Ordered That the said petitions be referr'd to the Committee for Publick Claims, & y^e they examine the same and Report their opinion thereon to the House.

Ordered That the Committee for Publick Claims be Revived.

The order being Read That *John Brodnax* return to this House Mr *Holloways* Answer, He was called in, & acquainted the House that Mr *Holloway* would obey their order, and then withdrew

Mr *Corbin* reported that the Committee for Propositions & Grievances had, according to order, prepared a Bill to encourage the apprehending of Pyrates, which he presented to the House and the Same was recieved and read the first time

Ordered That the said Bill be read a second time.

Mr *Corbin* also Reported That the Committee for Propositions and Grievances had had under their consideration the petitions of the Upper & Lower Inhabitants of the parish of St *John* in the County of *King William*, and were come to a Resolution thereon, which he read in his place, and delivered in at the Table, where the same was again read and agreed to with an Amendment *Viz'*

Resolved That the said petitions be referr'd to the consideration of the next Session of Assembly

Then the House Adjourned till Tomorrow morning 10 a'clock

Tuesday November the 18th 1718

THE Treafurer, according to order, layd his Accompts before the House
Ordered That Mr *Corbin*, Mr *Grymes*, Mr *Baylor*, Mr *Bolling* & Mr *Blair* do Inspect and examine the said Accompts together with the Accompts of Mr *Holloway* & Mr *Clayton*, and report their opinion thereon to the House

A Petition of *John Armistead* of the County of *New Kent* Gent., praying to be enabled to sell certain Intailed Lands on Settling other lands of which he and his Wife are seized in fee simple of greater value to the same uses.

Resolved That the said petition be referr'd to the consideration of the next Session of Assembly.

Claims from the Countys of *Elizabeth City* & *Princefs Ann*, being by the leave of the House Received, Were Referred to the Committee for Publick Claims to examine the same and report their opinion thereon to the House.

A Bill to encourage the apprehending of Pirates Was read the Second time and Committed

Mr *Corbin* reported from the Committee for Propositions & Grievances to whom the Bill to encourage the apprehending of Pirates was committed, that they had made severall Amendments to the Bill, which they had desired him to report to the House, and which he delivered in at the Table, where the Same was Read, and agreed unto by the House

Ordered That the Bill with the Amendments be Ingrossed.

Upon the motion of Mr *Mason* & Mr *Jenkins*, they have leave to go into the Country.

Then the House Adjourned till tomorrow morning 10 a clock.

Wednesday November the 19th 1718.

A BILL Entituled *An Act to encourage the apprehending of Pirates* Was Read the third time

Resolved nemine contradicente

That the Bill do pass

Ordered That the Committee of Propositions & Grievances do carry the said Bill to the Council and desire their concurrence thereto.

Mr *Corbin* reported that the persons appointed had, according to order, examined the Treasurers Accompts, and that they found the same to be true

A Message from the Council that they have agreed to the Bill Entituled *An Act declaring who shall not bear Office in this Country* with an Amendment, to which they desire the concurrence of this House.

The said Amendment was Read and agreed to by the House.

Ordered That Mr *Blair*, Mr *Grymes*, Mr *Stith*, Mr *Johnson* & Mr *Bolling* do carry the Bill to the Council and acquaint them that this House hath agreed to the said Amendment.

Resolved That the Treasurer give further Security in the Sum of Fifteen thousand pounds, and that he be enabled to put out at Interest a Sum not exceeding ten thousand pounds, and that a Bill be prepared accordingly.

Ordered That the Committee for Propositions & Grievances prepare & bring in the said Bill

Ordered That the Treasurer make Oath to his Accompts.

A Petition of *John Brodnax* praying a larger Allowance for keeping the County Goal & Capitol, being refer'd from the Governor & Council was Read

Resolved That Ten pounds per annum be added to the Sallary of *John Brodnax* for keeping the Capitol

Ordered That Mr *Conway* Mr *Wyth*, Mr *Dangerfield*, Mr *Hardyman* & Mr *Hawkins* carry the said Resolve to the Council and desire their concurrence thereto

Ordered That *John Brodnax* apply himself to Mr *Holloway* & Mr *Clayton* for Locks and other things necessary for securing the doors and Windows of the Capitol.

Mr *Goodrich* reported from the Committee for publick Claims, that they had had under their consideration the severall matters to them refer'd and had prepared a Book of Reports thereupon, which they had directed him to report when the House was Ready to receive it: And the same being received was read & agreed to by the House with some Amendments

Upon a Debate the Question was put

That the Sum of Three hundred pounds be allowed to *William Byrd Esq^r* appointed Agent to Sollicit the Affairs of this Colony in *Great Britain*,

Resolved in the Affirmative, and

Ordered That the said Allowance be added to the book of Claims

Ordered That the Allowances to the severall Officers be added to the Book of Claims.

A message from the Council that they have passed the Bill Entituled *An Act Declaring who shall not bear Office in this Country* as amended. And that they have agreed to the Bill to encourage the apprehending of Pirates with some amendments to which they desire the concurrence of this House

Then the House Adjourned till tomorrow 10 a'clock

Thursday November the 20th 1718

THE Allowances to the severall Officers added to the Book of Claims were read and agreed to by the House

Ordered That the Committee for Publick Claims carry the Book of Claims to the Council and desire their concurrence thereto.

Mr *Corbin* reported from the Committee appointed to inspect the Treasurers Accompts together with the Accompts of Mr *Holloway* and Mr *Clayton*, Severall matters which appeared to the sd Committee *Viz^t*.

That the Treasurer hath entered a Memorandum, wherein he Says That Credit is given for Mr *Henry Irwin*'s whole Account of Liquors & Slaves to witt One thousand One hundred & Seventy eight pounds ten Shillings & two pence, But because he is short paid of the same, One hundred Eighty eight pounds nine Shillings & eleven pence desires he may be allowed that Sum at his next reckoning, in case the said *Henry Irwin* does not pay him before.

That

That by the Accompts of Mr *Holloway* & Mr *Clayton*, out of the moneys by them received & expended pursuant to the Act of Assembly there is due on ballance to the General Assembly the severall & respective Sums following *Viz*.

From *John Holloway* Esq^r the Sum of Thirty two pounds five shillings & ten pence

From *John Clayton* Esq^r the Sum of One hundred & three pounds eight shillings & one penny.

That there is a Warrant in the Treasurers Acco^{ts} to *John Holloway* Esq^r for two hundred pounds towards finishing the Governors house, and that the said Committee did send to Mr *Holloway* and Mr *Clayton* for the Accompt of the disbursements of the f^d Sum of two hundred pounds; and Mr *Clayton* returned the following Answer. That he had waited on the Governor for those Accompts, And that his Honour told him, he did not expect to be called on for the f^d Acco^{ts}, and therefore had not them ready.

The Treasurer having made Oath to his Accompts, the ballance whereof due to the Country is Seventeen thousand nine hundred ninety five pounds Sixteen shillings & three pence, The said Accompts with a Duplicate passed the House

Ordered That the Committee for publick Claims carry the f^d Accompts to the Council, and desired [desire] their Assent thereto.

Mr *Lawrence Smith* having taken the Oaths appointed by Law and subscribed the Test, took his place in the House

Mr *Merriweather* having obtained leave presented to the House an Address to the King which he delivered in at the table, where the same was read.

Upon a motion the Question was put

That the House proceed to the immediate Consideration of the Address to the King
Resolved in the Affirmative

The House being informed that Instructions were prepared to the Agent of this Colony

Resolved upon a motion,

That leave be given to present the said Instructions.

Whereupon Mr *Merriweather* presented to the House a Writing Intuled Instructions to *William Byrd* Esq^r Agent for the Colony of *Virginia*

The Instructions were read

Then the House proceeded to take into consideration the Address to the King, and after a debate, upon a motion

The Question was put

That the first Paragraph of the f^d Address be agreed to

Resolved in the Affirmative. 22 Yeas & 14 Nays.

Then the Question was put

That the Second Paragraph of the f^d Address be agreed to

Resolved in the Affirmative. 19 Yeas & 14 Nays

Then the Question was put

That the third paragraph of the f^d Address be agreed to

Resolved in the Affirmative. 19 Yeas & 13 Nays

The Address is as follows

To The Kings most Excell^t Majesty

The Humble Address of the House of Burgeesses

May it please Your Majesty

We Your Majestys most Dutifull & Loyal Subjects the Burgeesses of your ancient Colony of *Virginia* now mett in Assembly having duly considered severall Attempts of Your Lieutenant Governor towards the Subversion of the Constitution of our Government, the depriving us of our ancient Rights & priviledges and many hardships which he daily exercises upon your Majestys good Subjects of this Colony, think we should not discharge the Duty we owe to our Sovereign or the Trust reposed in us by our Constituents if we any longer forbear to lay them before your Sacred person

And

And therefore we humbly hope your Majesty will be graciously pleased to receive some particulars from the Hon^{ble} William Byrd Esq^r whome we have desired to appear in behalf of your oppressed Subjects of this Colony being deprived of any other means whereby to make known to your Majesty our just Grievances by our remote Scituation which misfortune we find greatly increased by being governed by a Lieutenant Governor, while the Governor in Chief resides in *Great Britain*, to which we attribute many of the Difficultys we now labour under.

It is with great comfort we behold your Majesty earnestly employing your Self in the defence of the Libertys not only of your own Subjects, but of all *Europe*, and cannot doubt, that as your Goodness & Mercy are already extended to us in many particulars, So we shall find its happy Influences in the Redress of these our Grievances which we are bound in the most Suppliant manner to implore in Such a way as may be most agreeable to your known Wisdom & Justice.

Ordered That the Speaker do now Sign the said Address

Mr Merriweather presented to the House two fair copys of the said Address which were received.

Ordered That Mr Corbin Mr Merriweather & Mr Conway do examine the said copys with the Original.

Mr Corbin reported that the Copys of the Address to the King were examined and did agree with the Original.

Ordered That the Speaker do now Sign the said Copys.

Resolved That the Speaker be desired to transmitt to William Byrd Esq^r Agent for this Colony the said Address to the King with a Duplicate

The House proceeded to take into consideration the 1st Instructions to the Agent which were again read and

A Debate arising thereupon

Upon a motion The Question was put

That the Debate be Adjourned till to morrow

Resolved in the Affirmative

Mr Corbin reported from the Committee appointed to Enquire what furniture has been provided for the Capitol what remains and in what Condition it is, Several matters relating thereto, which the said Committee had directed him to report, and which he delivered in at the Table.

Ordered That the said Report do ly on the Table.

Mr Corbin reported that the persons appointed had according to Order prepared a Bill Impowering the Treasurer of this Colony to put out at Interest a Summ not exceeding Ten thousand pounds now in this hands, which he presented to the House, and the same was received and read the first time

Ordered That the said Bill be read a second time.

Then the House Adjourned till to morrow morning 10 a'clock.

Friday November the 21st 1718.

THE House proceeded to take into consideration the Amendments proposed by the Council to the Bill Entituled *An Act to encourage the apprehending of Pyrates*

The Amendments were read and agreed to by the House

Ordered That the Committee for Propositions & Grievances do carry the Bill to the Council and acquaint them that this House hath agreed to the said Amendments.

Ordered That the Committee for Elections & priviledges be revived.

A Petition of Henry Howard Sherif of York County, praying that a Goaler may be appointed to keep the Publick Goal built for Debtors committed by process of the Generall Court, and that a Sallary may be settled for the same, was Read

Resolved That the said petition be rejected

A Bill empowering the Treafurer of this Colony to put out at Intereft a Sum not exceeding Ten thoufand pounds now in his hands was read a Second time, and Severall Amendments made therein.

Ordered That the Bill with the Amendments be Ingroffed

The Houfe refumed the Adjourned Debate on the Inſtructions to *William Byrd* Agent for this Colony

The ſaid Inſtructions containing Articles againſt the Lieutenant Governor were read in the words following

Inſtructions to *William Byrd* Eſq^r Agent for the Colony of Virginia

1 To preſent to his Majeſty as ſoon as conveniently you can, the Addreſs of this Houſe, and at the ſame time to lay before His Majeſty in the beſt manner you can the following particulars againſt the Lieu^t Governor, and to the utmoſt of your power endeavour his Removal.

2 That he hath by a finifter Conſtruction of our Laws as much as in him lay perverted many of them, particularly that, for ſettling the Titles and bounds of Lands, which makes it a Condition of the patents, that they are to forfeit them if they fail three years of paying their Quitt Rents, which he hath endeavoured to extend to lands granted before that Law, which have no ſuch Condition in their patent or Grant.

3 His Conſtruction of the Law for finiſhing the Governor's houſe, whereby he lavifhes away the Country's money contrary to the intent of the Law, and even beyond what the words of the Law will bear, and hath hitherto refuſed any Redreſs therein

4 That he inſiſts upon his having a Right of Patronage and hath preſented and Inducted Miniſters contrary to our Law, and contrary to *S^r Edward Northeys* opinion upon our Laws

5 That he endeavoured to deter the Juſtices of the Country from levying the Burgeſſes Sallary Settled by Law.

6 That contrary to Inſtructions he appointed *George Walker* a known *Quaker* to execute the Office of Naval Officer in the Lower Diſtrict of *James River*

7 That notwithstanding he hath frequently talkt of great danger the Country was in, yet he hath intirely neglected the Militia having given no Commiſſion to any Officer ſince the King's Acceſſion to the Throne

8 That he hath refuſed to paſs Severall Laws after their paſſing both houſes, which were not contrary to any known Inſtruction nor relating to Trade.

9 That he hath by provoking Speeches & Meſſages abuſed the Houſe of Burg^s and thrown undeſerved Reflections upon them to vindicate himſelf

10 That he hath without conſent of the Council appointed new Judges to try free Subjects for their Lives.

11 That he hath condemned a perſon unheard.

12 That if any man falls under his diſpleaſure his Lawyers are diſcouraged, that it is difficult to get one to undertake a Cauſe for them.

13 You are likewise deſired to repreſent to His Majeſty the Inconveniencies that attend this Plantation's being governed by a Lieutenant while the Governor in Chief reſides in *England*, and if poſſible to obtain Redreſs therein.

14 And alſo you are to repreſent to his Majeſty, that this Country hath no way to repreſent its Grievances but by an Agent. That we Seldom Complain but when much oppreſt by our Governor, in which caſe the Governor will never conſent to the paying an Agent for his trouble and neceſſary diſburſements: Wherefore you are to endeavour to obtain an Inſtruction to our Governor to conſent to any ſuch neceſſary payment when the Houſe of Burgeſſes ſhall ſee meet.

Upon a motion

Reſolved That the conſideration of the firſt Article be referr'd till the other Articles are conſidered.

Upon conſideration of the Second Article, the houſe agreed to the ſame with an Amendment

And

And upon confideration of the third Article, The Houfe agreed to the fame.
Then the Queftion was put on the fourth Article
That the fame be agreed to

It paffed in the Negative

And upon confideration of the fifth Article the Houfe agreed to y^e fame.

And upon confideration of the Sixth & feventh Articles the fame were difagreed
to by the Houfe

Then the Queftion was put on the eighth Article

That the fame be agreed to

It paffed in the Negative.

Then an Amendment was made to the ninth Article and

The Queftion put thereupon

That the fame be agreed to

Refolved In the Affirmative

And upon confideration of the 10th, 11th, 12th, & 13th Articles, The fame were
difagreed to by the Houfe

And upon confideration of the 14th Article, The Houfe agreed to the fame with an
Amendment

And upon confideration of the firft Article, One Amendment was made therein,
and agreed to by the Houfe.

The faid Inſtructions as amended & agreed to by the Houfe are as follow

Inſtructions to *William Byrd* Efqr Agent for the Colony of *Virginia*

1 To preſent to his Majeſty as ſoon as conveniently you can the Addreſs of this
Houfe, and at the ſame time to lay before his Majeſty in the beſt manner you can,
the following particulars againſt the Lieutenant Governor

2 That he hath by a miſconſtruction of our Laws as much as in him lay perverted
many of them particularly that for Settling the Titles & bounds of Lands which makes
it a condition of the Patents, that they are to forfeit them if they fail three years of
paying their Quitt Rents, which he hath endeavoured to extend to Lands granted before
that Law, which have no Such Condition in their Patent or Grant.

3. His Conſtruction of the Law for finiſhing the Governors houſe, whereby he
lavifhes away the Countrys money, contrary to the intent of the Law, and even beyond
what the words of the Law will bear, and hath hitherto refuſed any Redreſs therein.

4. That he endeavoured to deter the Juſtices of the Country from levying the
Burgeſſes Salary Settled by Law.

5. That he hath by provoking Speeches & Meſſages abuſed the Houſe of Burgeſſes,
and thrown undeſerved Reflections upon them.

6. And alſo you are to repreſent to his Majeſty that this Country hath no way
to repreſent its Greivances but by an Agent; That we ſeldom complain but when much
oppreſſed by our Governor, in which caſe the Governor will hardly be prevailed with to
conſent to the paying an Agent for his trouble and neceſſary diſburſements; wherefore
you are to indeavour to obtain an Inſtruction to our Governor to conſent to any ſuch
neceſſary payment when the Houſe of Burgeſſes ſhall ſee meet

Upon a motion

The Queſtion was put

That it be an Additional Inſtruction^d to Mr *Byrd* not to repreſent any other matter
againſt the Lieu^t Governor, than what is contained in the ſ^d Inſtructions

It paffed in the Negative.

Ordered That the Clerk deliver three fair Copys of the ſ^d Inſtructions to the Speaker
to-morrow

A meſſage from the Council that they have paffed the Bill Ent^d *An Act to encourage
the apprehending & deſtroying of Pirates*, as amended And alſo that they have agreed
to the Reſolve of this Houſe relating to *John Brodnax's* Additional Sallary with an
Addition

The ſaid Addition was read and agreed to by the Houſe.

Ordered

Ordered That the Clerk deliver to Mr *Speaker* two Copys of the Journal of this meeting, which he is desired to transmitt to the Agent

Then the House Adjourned till tomorrow morning 10 a'clock.

Saturday November the 22^d 1718

ORDERED That the Clerk deliver to Mr *Merriweather* Copys of such papers relating to the Addrefs & Instructions, out of the Office of the House of Burgeffes, as he shall have occasion of, to make out the charge against the Lieutenant Governor.

Upon a motion

Resolved That the words [against the Lieu^t Governor] be added to the end of the first Article of the Instructions

Ordered That the Clerk do now add the same

The House being informed that Mr *Henry Irwin* hath paid the Sum of one hundred eighty eight pounds nine shillings & Eleven pence mentioned in the Report of the Committee to whom it was referr'd to examine the Treasurer's Accompts.

Upon a motion

Resolved That the Treasurer have leave to withdraw his Memorandum relating to the 1st Mr *Henry Irwin*.

A Memorial of *John Brodnax* proposing Severall matters concerning Negros committed to the Publick Goal, whose Masters are not known, being referr'd from the Governor & Council was read

Resolved That the said Memorial be considered on *Monday* next

Mr *Eskridge* reported from the Committee for Elections & priviledges, that they had had under their consideration the Return of the Writt for election of a Burgeffs to serve in this present Generall Assembly for the County of *York* in the room of *James Burwell* dec^d and were come to a Resolution thereupon, which they had directed him to report, and which he read in his place and delivered in at the Table.

And the same was again read and agreed to by the House *Viz'*

Resolved That Mr *Lawrence Smith* is duly returned a Burgeffs to Serve in this present Generall Assembly for the said County of *York*.

An ingross'd Bill Entituled *An Act for Impowering the Treasurer of this Colony to put out at Interest a Sum not exceeding Ten thousand pounds now in his hands.* Was read the third time

Resolved That the Bill do pass.

Ordered That the Committee for Propositions & Grievances do carry the said Bill to the Council and desire their concurrence thereto

Then the House Adjourned till *Monday* morning 10 a'clock.

Monday November the 24th 1718.

A WRITTEN message from the Governor by Mr *Robertson*
Mr *Speaker* and Gentlemen of the House of Burgeffes,

Your proceedings for these two days passed have been so extraordinary and mannaged in so thin a house that I think it highly necessary before his Majesty be troubled or the Publick Treasury of the Colony burthened that the Sentim^{ts} of the whole Representatives of the people should be first known in a matter wherein the Kings Service and the Reputation of your Country as well as the Interest of your Governor is so greatly concerned.

As I am well satisfied that many of your absent Members did not expect any such proceedings nor would have concurred in these measures, I therefore take occasion to

let

let you know that as soon as you have Summoned all your Members to attend and have got together a full house, I shall lay before you & fully explain some matters which seem to have been misunderstood by the greater part of your House, and which I am persuaded will serve to vindicate my self from the charge laid against me, and the Country from the Imputation of being a discontented people. In the mean time I desire you to proceed to some determinations on the Accounts of the Governors house which were laid before you Six months ago, That if any objection to the particular Articles should be the occasion of your not passing them in form, the same may be examined now while the persons concerned, are alive and present who can best answer your doubts. And I desire you will not be diverted by the Artifices of those who have misreported to you my Answer to the message sent me by Mr Clayton relating to those Accounts

A Spotswood

Ordered That Mr. Digges Mr. Grymes & Mr. Goodrich do examine such Bills as are Inrolled.

Ordered That the Messenger attending this House do Summon Such of the Members as are in Town to attend the Service of the House immediately.

Mr Digges reported that the persons Appointed had examined the severall Inroll'd Bills, and that the same were truly Inrolled.

Upon a motion

The House was called over

Then the House proceeded to take into consideration the Governors Message And the same was read.

A Debate arising thereupon. And the House being informed that Mr Ewele attended at the door, and desired leave to take his place in the House

Upon a motion

Resolved That the Debate be Adjourned

Mr Ewele was called to the Bar, and having given Reasons for absenting himself from the Service of the House

Resolved That he be admitted to take his place in the House

The House being informed that Mr Robinjon is dangerously ill, & that bad Weather for some time past might have prevented Mr Waters & Mr Floyd coming over the Bay.

Resolved That their Absences be excused

Then the House resumed the Debate on the Governor's message

And thereupon

Resolved That all the absent Members be excused.

Resolved That an Address be prepared to the Governor in answer to the 1st Message.

Ordered That the Committee of Propositions & Grievances prepare the same

Ordered That the said Committee be revived.

A message from the Council that they are satisfied the Bill Ent^d *An Act to encourage the apprehending & destroying of Pirates*, was truly Inrolled

A message from the Governor by Mr Robertjon

Mr Speaker

The Governor commands the immediate Attendance of this House in the Council Chamber

Accordingly Mr Speaker with the House went up to attend his Honour, And being returned

Mr Speaker reported that his Hon^r had been pleased to give his Assent to the following Bill *Viz*

An Act to encourage the apprehending & destroying of Pirates

A Petition of Thomas Jones in behalf of himself and the rest of the Members of the late Virginia Indian Company, praying to be repay'd the Expences of maintaining the Indian Hostages and Guard at *Christanna* according to a Resolve of the last Session, and also that this House would further consider the Accounts of the said Company, being referr'd from the Governor & Council, Was read.

Resolved

Resolved That the said petition be referr'd to the consideration of the next Session of Assembly.

A Petition of *John Holt* praying to be enabled to rebuild a Bridge over a Creek which divides *Hog Island* from the mainland, being referd from the Governor & Council, Was read

Resolved That the said Petition be Rejected

Then the House Adjourned till tomorrow morning 10 a'clock.

Tuesday November the 25th 1718

WRITTEN message from the Council

A *Mr Speaker and Gentlemen of the House of Burgeffes*
Amongst the Claims of *Elizabeth City County*, The Council observe that your House hath disallowed that of *John Dun* for conveying *William Howard* a Pyrate to the Publick Goal which they conceive to be a Service as fitt to be rewarded as the conveying of any other Criminal, And therefore propose that the aforesaid Claim be allowed; and for the same reason they also propose your allowing the Claim of *John Jones* of the same County, who was impressed for the guard of the said *William Howard*.

As to the Claim of *David Davis* for guarding Cap^t *Forbes's* man to *Williamsburgh* The Council think it necessary to acquaint you that those men were taken up on Suspicion of Piracy, and brought before the Governor in order to an Examination; and if those who execute the Order of the Government on such extraordinary occasions are to have no Allowance for their trouble It will be a great discouragement to the Securing such Criminals

The Council cannot conceive the Reason of your disallowing the Claim of *John Brodnax* of *York County* for ninety five pounds of tobacco being for the Dyet of the Pyrate in prison, because in their opinion the Law intended that all Criminals committed to the publick Goal should be Subsisted there at the publick charge; And as it cannot be denied but the bringing Pyrates to Justice is as necessary for the publick good as any other Criminal whatever. The Council do propose that this Claim be also allowed before they give their Concurrence to the Book of Claims

The House proceeded to the consideration of the said Message and the Same was read

Resolved That this House doth disagree to the Amendments proposed by the Council in the said Message, to the Book of Claims

Ordered That the Committee of Claims do acquaint the Council that the House hath disagreed to the said Amendments.

A Petition of *Miles Cary* Setting forth his Indisposition, and praying that *Richard Cary* his Son may be admitted to officiate as Clerk of the Comm^{tee} of Publick Claims, till he shall be able to attend himself.

Resolved That the said *Richard Cary* be admitted accordingly

Ordered That a Copy of *Mr Corbins* Report, relating to the Accompts of the Governor's house be sent to *Mr Clayton* and delivered by *Mr Boujsh* & *Mr Goodrich*, and that he be desired to return an Answer in Writing whether the Governor's Answer to the Message Sent him by the Committee appointed to examine the said Acco^{ts} be truly reported.

Mr Corbin reported that the persons appointed had (according to order) prepared an Address to the Governor which he read in his place, & delivered in at the Table, where the said Address was again Read and agreed to by the House with an Amendment and is as follows.

To the Hon^{ble} Alexander Spotswood His Majesties Lieutenant Governor of Virginia

The humble Address of the House of Burgeffes

May it please Yo^r Hon^r.

We his Majestys most Dutifull and Loyal Subjects and Burgeffes assembled, having taken into consideration Yo^r Hon^{rs} Message wherein you are pleased to mention some extraordinary

extraordinary proceedings managed in a thin house beg leave to inform Yo^r Honour that however extraordinary they are in their nature, there doth not appear to this House any irregularity in their proceedings; And as nothing but a just Sense of o^{ur} Duty to our Sovereign and Country did induce us to undertake them, So we did not apprehend any Stop could have been given to them by a fuller House but on the contrary have good Reason to think the same Votes would have pass'd wth a greater Majority

We also assure Yo^r Hon^r that upon receipt of Yo^r Message We called over the House and find that four Members from the Eastern shore could not be here tho' they had endeavour'd it, that two of our Members are in *England*, two others had leave to be absent about business, and that four others were detained by sickness, one Member in the House declined to give his Vote, and two Members then in Town came not in time to the House.

Your Honour having refused to assent to So many Laws which at a great charge to the Country had been prepared last Session made us of Opinion that the greatest Service we could do the Country, was to make this Session at short as possible; Wherefore we went upon no Laws but such as we were informed were agreeable either to your Instructions or inclinations: and having finish'd those We hope Yo^r Hon^r will not think fitt to detain us any longer, it being inconsistent with the practice of Assemblies as well as Parliaments, to enter into the debate of any matter already determined.

The Accounts you desire us to examine & pass in forme, being part of our Complaint to His Majesty, We think it not proper to consider them any further till his Royal pleasure be known therein

Ordered That the said Address be fairly transcribed.

Upon a motion, The Question was put

That the said Address be presented by the whole House

Resolved in the Affirmative

Ordered That the Committee for Propositions & Grievances wait upon his Hon^r to know when he will be attended with the said Address

Resolved That the Memorial of *John Brodnax* referr'd to be considered yesterday be referr'd to the consideration of the next Session of Assembly.

And then the House Adjourned till Tomorrow morning 10 a'clock

Wednesday November 26th 1718.

O*RD*ERED That the Speaker Sign the Address of this House to the Gov^r
A Message from the Council that they have pass'd the Bill Entit^d *An Act for empowering the Treasurer of this Colony to put out at Interest a Sum not exceeding Ten thousand pounds now in his hands, wthout any Amendment.*

That they have pass'd the Treasurers Accompts, to which the Gov^r has signed his Assent

That they are Satisfy'd the Bill Entitled *An Act Declaring who shall not bear Office in this Country*, is truly Inrolled.

And also that they do not insist on the Amendments propos'd by them to the book of Claims, but that they have agreed to the said Book as the same was prepared by this House.

Ordered That the Committee for Publick Claims carry the book of Claims to the Governor; and desire his Assent thereto.

A Petition of *Henry Hayward*, Setting forth Reasons for appointing a Goaler to keep the Country Goal built for Debtors, and praying that one might be appointed, and a Salary established, or that the Sherif of *York* for the time being might have an yearly Allowance proportionate to the Expence & hazard of keeping the same, being referr'd from the Governor & Council Was read

Resolved That the said petition be rejected

Mr *Goodrich* reported that the persons appointed had (according to order) waited on the Governor with the Book of Claims, and desired his Hon^{rs} Assent thereto, and that he was pleased to answer, he would take time to consider it

Upon a motion made

Resolved That Mr *Grymes* be appointed Chairman of the Committee for Propositions Grievances in the absence of Mr *Corbin*.

Mr *Grymes* reported that the Committee for Propositions & Grievances had, according to order, waited on the Governor at his House, to know when his Hon^r would be attended by this House with their Addresses, And that he was pleased to return the following Answer

I am glad to find your House is to bring their Answer to my Message, And to the end the Town may see what a Grand Retinue of Accusers yo^r Speaker may have along with him, I appoint this place to receive it Tomorrow morning at Ten a'clock

Mr *Marable* moving for leave to be absent To morrow,

The Question was put

That Mr *Marable* have leave to be absent tomorrow from the Service of the House

It passed in the Negative

Ordered That the House be called over to morrow morning & nothing to Intervene

Resolved That the House be Adjourned till Tomorrow morning nine a'clock

And the House was accordingly Adjourned.

Thursday November the 27th 1718

THE House according to order was called over.

Resolved That the Absent members be excused

Mr *Speaker* with the House went to attend the Governor with their Addresses, and being returned acquainted the House, that he had presented the said Address to the Governor and that his Hon^r was pleased to say he would send his Answer in Writing

A written message from the Governor by Mr *Robertson*

Mr *Speaker* and Gentlemen of the House of Burgeffes,

I have perused the book of Claims sent by yo^r House for my Concurrence and am very desirous the publick Creditors should be duly paid for their Services done their Country; and as during my administration I have never denied to pass any one Claim, which was either directed by Law authorized by Custom or which could be interpreted for the publick Service. So on the other hand, I claim it as a Right due to the Kings Governor, as well to propose reasonable Allowances to be made in the Book of Claims as to reject such Articles as are unjust in themselves, or brought in, contrary to former Practice.

There are in this Book of Claims two things, wherein I cannot concur with you.

First I cannot agree that the charge of committing to the publick Goal and Subfisting therein a Pyrate tryed & condemned before yo^r late Act, is not a Country charge; because I cannot perceive the difference between Pyrates & other Criminals, the charges of whose imprisonment are constantly paid by the Publick; it being at least as necessary that such Offenders should be brought to punishment as any others. And therefore I propose that the small Expence which has arisen by the Commitment & Imprisonment of *William Howard* the Pyrate and the taking up Cap^t *Forbes*'s men, who were also suspected of Piracy, and (tho there was then no proof against them) have been since discovered to be real Pyrates may be allowed in the book of Claims. Nevertheless, if you do insist on yo^r disallowance of those Claims. I shall rather chuse to pay the same myself than to put the Country to a far greater charge in spending time to convince you of the Justice of discharging this Debt: but with this Express Condition that my Assent to any other part of the Book of Claims shall not be taken as a precedent for disallowing

disallowing the like demands for the future, Seeing former Assemblies have thought fitt to defray charges of the like nature.

In the next place, I cannot agree to the Article of £300 to Mr *Byrd* as Agent for this Colony for the following Reasons.

1. Because I cannot allow a person to be Agent for this Colony (as yo^r Book of Claims denominates Mr *Byrd*) who is only appointed by a Vote of your House, without the concurrence of the other Members of the Legislative power.

2. Because I know no Service he has done, nor is any Service mentioned in yo^r Book of Claims to entitle him to so considerable a Reward: For as nothing has ever been allowed in that book, but as a Reward for Services performed, I'm confident you cannot make appear that he has done any one thing to deserve this Allowance, If this Gratification of yours be for presenting to his Majesty the Address of yo^r last Session, should I give my Assent thereto, I should act, as you have done, expressly contrary to the declared Sentiments of my Sovereign which has appointed all such Petitions & Addresses to be transmitted by the hands of your Governor, and has condemned as Irregular the presenting the same by particular Agents chosen by either House of Assembly; and this Yo^r House was not ignorant of, at the time you appointed Mr *Byrd* to be yo^r Agent.

3. As I was ready to have transmitted to His Majesty the Address of Yo^r late Session, had you desired me, So I am now ready to transmit the Address of this Session together with yo^r Articles tho^t they contain a Charge against myself, and that without any Expence to the Country: and I believe it will be as agreeable to his Majesty to receive the Addresses of his Subjects of *Virginia* by the hands of Coll^o *Blakiston*, whom his Majesty has allowed to be Agent for this Colony as from the Hon^{ble} W^m *Byrd* (as you call him) whom you have thought fitt to chuse and give the Appellation of Agent for *Virginia*

4. All Claims allowed to be considered in yo^r book, are either directed by Law, or authorized by ancient Custom, but this Article to Mr *Byrd* is warranted by neither. Former Houses of Burgeesses have frequently nominated Agents and given Recompences for their Services: but no such have ever been admitted into the Book of Claims. The usual way of gratifying such Agents having been till now, either by establishing their Sallary by Law, or ascertaining their Allowance by a Resolve: To either of which the other parts of the Legislature might signify their Assent to [or] Dissent without drawing the just Claims of other Publick Creditors into controversy with a matter entirely foreign thereto. Thus the Wisdom & honest Simplicity of your Ancestors always Separated the lawfull & undisputed Claims of the people, from any thing of a different nature which might clogg their passing. And therefore as this Allowance to Mr *Byrd* is without precedent, and that no one Instance can be given since the Settlement of the Colony of any such Allowance to an Agent being added to the Book of Claims I cannot give my Assent to that Article

5. As it is one Article of yo^r Charge against Yo^r Governor, that he will hardly be prevailed with to yield to the paying an Agent to prosecute a Complaint against himself And thereupon you have directed Mr *Byrd* to obtain an Instruction from the King to oblige the Governor to consent to any such payment when Yo^r House shall see meet: I think it is thereby very plain that you have aforehand bespoke my Dissent to Yo^r Agents Allowance, and that you have likewise appealed to His Majesty: And therefore it would be unfitt for me to anticipate his Ma^{ty}s determination in a point which will come in Judgment before him, whether I assent to this Article of your Claims or not.

Having thus laid open the Reasons why I cannot consent to the Allowance to Mr *Byrd* in the manner you have brought it in: I now tell you that I am ready to give my Assent to all the other Articles in the Book of Claims: And for that one Article in dispute I propose it may be left to his Majestys Determination, Or if you are unwilling to expunge it out of your Book of Claims, I will even pass That too with this Proviso that no Warrant or Order shall issue for the payment thereof till His Maj^{ties} pleasure be known therein; and with this Protection that the suffering the said Article to stand in the Book

of Claims shall not be a precedent hereafter, for either House of Assembly to insert any such Allowances or Claim not warranted by Law or former Practice in any future Book of Claims

If you refuse this offer, it will then appear to the Country whose fault it is that the Book of Claims hath not paid and that the Publick Creditors are left unpaid, And this House of Burgesses will remain to Posterity as the first that ever made the payment of the just demands of the people to depend on the gratification of one particular Favourite of their own

November the 27th 1718

A Spotfwood.

The House proceeded to the consideration of the 1st Message, And the same was read, and

After a Debate

Two Questions were proposed to be put

That the Allowance of three hundred pound to M^r Byrd added to the Book of Claims be expunged, and

That the Book of Claims as the same has past this House & the Council, be adhered to

And after a previous Question

The Question was put

That the Book of Claims as the same has past this House and the Council, be adhered to

Resolved in the Affirmative 21 Yeas & 15 Nays

Resolved That a message be prepared to the Governor on the said Resolve

And a Message was accordingly prepared and agreed to by the House as follows.

To the Hon^{ble} Alexander Spotfwood his Majesties Lieuten^t Governor & Commander in Chief of this Dominion

May it please Your Honour

The House of Burgesses having had under their consideration the Written Message sent to them by Yo^r Hon^r on this day beg leave to inform Yo^r Hon^r that they do adhere to the Book of Claims as the same has passed this House & the Council, and do desire Yo^r Hon^{rs} concurrence thereto as usual

Ordered That the said Message be fairly transcribed and signed by the Speaker, and that the Committee for Publick Claims do carry the same to the Governor

M^r Boufh reported that the persons appointed had, according to order delivered to M^r Clayton a copy of M^r Corbins Report relating to the Accounts of the Governor's house, and desired him to return an Answer in Writing, whether the Governor's Answer to the Message Sent him by the Committee appointed to examine the said Acco^{ts} be truly reported, and that M^r Clayton had given him a Writing wherein was contained his Answer to that matter which he delivered in at the Table where the same was read

Ordered That the said Answer do ly on the Table

A Message from the Governor by M^r Robertfon

M^r Speaker

I am commanded by the Governor to return to this House the book of Claims, and to acquaint you that His Hon^r has assented to all the Articles in the said Book, except those mentioned in his message of this day.

The words of the Governor's Assent were read and are as follows

November the 27th 1718

I do assent to all the Articles in this Book of Claims Except so far as concerns my concurrence to the disallowance of the Claims for the Commitment of the Pyrate, and accept that Article of three hundred pounds to the Agent, To which I do dissent for the Reasons mentioned in my message sent this day to the House of Burgesses

A Spotfwood.

Resolved That the same be Considered tomorrow

Then the House Adjourned till Tomorrow morning 9 a'clock

Friday

Friday November the 28th 1718

RESOLVED That Mr *Hall* have leave to go into the Country
The House proceeded to take into consideration the Governor's Exception to the Book of Claims

And after a Debate, Upon a motion

The Question was put

That a Committee be appointed to proportion the Publick Levy on the Book of Claims reported this Session

It passed in the Negative 25 Nays & 12 Yeas

A Committee was appointed to proportion the Publick Levy on the Book of Claims reported the last Session *Vizt*

Mr *Eskridge*

Mr *Bolling*.....Mr *Conway*

Mr *Goodrich*.....Mr *Buckner*

Ordered That the said Committee prepare & bring in a Bill for raising the Publick Levy.

A written Message from the Governor by Mr *Robertson*
Mr *Speaker* and Gentlemen of the House of Burgeffes,

The Address you delivered me yesterday contains many things to which I have just exceptions; but when I consider how many well meaning men have been drawn unwarily to give their Votes to what they do not approve, and are now tyed down by that sudden & precipitate Act, I shall waive at present the Reflections I might with Justice make on your proceedings, which however regular they may seem to the Contrivers, I am perswaded will appear in a different Light to all whose Eyes are not blinded by prejudice and whose Judgments are unbiassed

The world will judge whether a just Sense of Duty to Your Sovereign could be the only Motive for Your framing a Charge ag^t his Representative for promoting his Maj^{ties} Service: And whether you have acted for the honour of your Country in drawing up in an unusual Manner a General Accusation against your Governor, which cannot be made out by any of the Articles of your charge, admitting them to be true, as it is evident they are not.

I shall only observe upon the account you give of the Absence of Your Members, that when you brought in your Charge, your House was thinner than at any other time during this Session, and some who were not in the Secret were told before they went out of Town, that nothing more would be transacted than only laying the Levy.

And as to my refusing any Law which you had prepared last Session 'Tis well there are sworn Officers to enter your Governors Speeches in Assembly, and whoever reads mine upon your Adjournment & Prorogation will find a plain Contradiction to this Assertion of Yours. and some who know how you have employed your sitting this Session, will say that the tenth part of the time which you Spent in enquiring after a few Leather Chairs & brads Sconces, might have served for compleating the Bills you had begun upon; and even Sufficient time found for preparing matters to have an Orderly Tryal in an Affair of so high consequence as a Charge against your Governor and Lieutenant Governor

The Treatment I have mett in relation to the Accounts of the Gov^{rs} House, will astonish all Mankind, but those who have occasioned that proceeding of yours. When you asked for the late Acco^{ts} of that Building I sent a message to your Committee that I expected your House would examine & pass those which had remained so long before you. ere you took the trouble of inspecting new ones. Your Committee man assured the Gent^a who delivered this message that the sd^d Accompts were Actually passed. And then he reports to your House only one part of what had been told him, without mentioning at all the reasons for not troubling you with new Accounts at this time. Upon which a Charge is formed against me, And now you Say these Accompts must be left

to

to his Maj^{ties} determination. It is strange Doctrine & irreverently trifling with Majesty, to expect that your Sovereign should examine a thousand pound Accompts wherein there may be above five hundred Articles, when you will not find leisure to consider the same, nor do me Justice to point at the Articles against which you object. But Seeing so many vile Aspersions Spread abroad, as if I had defrauded the Country in some Articles of those Accounts, I do insist that those particulars be forthwith declared, that I may have the opportunity of vindicating my Reputation

In fine Gent^s I am so confident of the unreasonableness of every Article of Your Charge against me, and so well assured of his Majesty's great Justice. That I make this Offer *Viz^t*. Let my Accusers lay down a thousand pounds, I will deposite the like Sum in the hands of any indifferent Person and let the whole go with the Merits of the Cause. This I think must be allowed a Reasonable proposal both in regard to your Country & to my self. For as your House have owned very lately the happy & flourishing Condition of this Colony, and it being undeniable that no one Greivance has been brought before you this Session to be the ground of Your Charge, it is as unjust that Your Country should be burdened with the prosecution of the private Quarrels of Prejudiced men, as it is that Your Governor should have no Recompence for the injury done to his Reputation.

November the 28th 1718

A Spotjwood

The House proceeded to the Consideration of the 1st Message and the same was read, and thereupon

Resolved That this House doth not think proper to declare any particular Articles wherein the Governor has lavished away the Country's money, about the Governors house, the Charge against him being Generall

Resolved That no other Answer be returned to the said Message

Then the House Adjourned till Tomorrow morning 9 a'clock

Saturday November 29th 1718

MR *Eskridge* reported that the Committee appointed had, according to order proportioned the Publick Levy, which amounts to 7 $\frac{1}{4}$ P poll, and that the severall Proportions were entered in a book which the said Comm^{tee} had directed him to report when the House was ready to receive it, And the same was recieved

Mr *Eskridge* also reported that the 1st Committee had, according to order prepared a Bill for raising a Publick Levy, which he presented to the House and the same was recieved, and read the first time

The Book of Proportions was read & agreed to by the House with an Amendment
A Bill for raising a publick Levy Was read the second time.

Ordered That the Bill be Ingrossed

Ordered That the Committee who prepared the Book of Propositions do carry the same to the Council, and desire their concurrence thereto.

Upon a motion

Ordered That Mr *Clayton's* Answer relating to Mr *Corbin's* Report of the Governor's Answer to the Message sent him by the Committee appointed to examine the Acco^{ts} of Mr *Holloway* & Mr *Clayton* be entered on the Journal of this House

The said Answer is as follows

To The Right Worshipfull The Speaker of the House of Burgeffes

An order of your House being this day Delivered to me by Mr *Boujsh* and Mr *Goodrich* together with a Copy of Mr *Corbins* Report relating to the Accounts of the Governor's house, by which order I am desired to return an Answer in Writing whether the Governor's Answer to the Message, Sent him by the Committee appointed to examine the said Accounts, be truly reported: After acknowledging the civil Treatment of your House in desiring the Relation of this matter in the manner they have been pleased to use,

use, I must beg Leave to give the House a brief Narrative of what passed in this Affair, previous to my delivering the Governor's Answer to the said Message, without which as I conceive, the whole Truth of this matter cannot appear

On *Tuesday* the 18th of this Instant in the Evening Mr *Corbin* came to my house, and told me he came from the Committee for an account of the money issued since the last Session for the use of the Governors house.

My Answer was I had not that account, but that I would wait upon the Governor that night and acquaint him with what the Committee desired and would let him know the Governor's Answer.

That night I waited on the Governor and acquainted him with the message I had received from the Committee; to which I had then no determinate Answer.

The next morning I did receive a Letter from the Governor in which he told me, I might tell the Committee from him that they had already had laid before them the said Accounts carried on to *Christmas* last, And since he observed that they had not hitherto found time to pass the Accounts w^{ch} they received above Six months ago, he could not expect they should be now at leisure to Inspect new Accounts

On *Thursday* the 20th instant in the morning Mr *Corbin* came again to me to know what Answer I had received from the Governor, I told him the Governor ordered me to tell the Committee he did not expect they would have called for any new Accounts of the money disbursed for the Governors house, Seeing that they had not passed those Accounts which were laid before them Six months ago.

To this Mr *Corbin* replied, The Governor was under a mistake and said he was Sorry the proceedings of the House were misrepresented, For that the House had passed those Accounts.

I told Mr *Corbin*, I did believe he was mistaken, and did then prepare to meet him at the Capitol, and that he and I should inspect the Journal of the House and see how the matter stood there.

In about an hour after I went to the Capitol, and Mr *Corbin* and I did search the 1st Journal, where we found an Entry to the Effect following; The house having considered the Scheme referr'd to be considered on this day, Ordered that the same be Lodged in the Office of the House of Burgesses, with the Accounts of the Governor's house and other Buildings.

Upon reading this Entry, Mr *Corbin* said, it appeared the House had passed those Accounts, that it was the usual way of entering Such matters when they were pass'd, And that the House would not call for those Accounts again

Mr *Corbin* then told me he was just going into the House, and must make Report of this matter presently; and said to me, I will tell the House the Accounts are not ready, My Answer was you may tell that to the House, for it is true. Mr *Corbin* then said to me, I will not tell the House the reason you give from the Governor why they are not ready, My Answer to that was. If those former accounts have pass'd the House, I would not have you give it for a reason that these latter Acco^{ts} are not ready, because the former are not passed.

Immediately after this Mr *Corbin* went into the House.

This Mr *Speaker* is a relation of all the discourse which pass'd between Mr *Corbin* and me upon occasion of the said Message to me from the Committee, according to the best recollection I can make, and is nothing but what is true, from whence this House may judge how truly the Governors Answer is reported

November the 26th 1718

John Clayton

An Ingrossed Bill Entituled *An Act for raising a publick Levy* Was read the third time.

Resolved That the Bill do pass

Ordered That the Committee who prepared the said Bill do carry the same to the Council and desire their Concurrence thereto.

A written Message from the Governor by Mr *Robertson*

Mr *Speaker* and Gentlemen of the House of Burgeffes

Upon perusing this day the minuts of your Yesterday's proceedings I percieve you are resolved neither to give me Security for your prosecuting yor Complaint against me, nor to be more particular in your charge, and have even resolved not to answer my message: Wherefore I shall trouble you with no more this Session except the present, which I sent to exhort you to dispatch what is before you, for the Publick Service, And I shall be ready on *Monday* next to recieve such Bills as you shall then be prepar'd to offer for my Assent

Saturday Novemb^r 29th 1718

A *Spotfwood*

A Message from Mr *Robertson*, That the Governor and Council have assented to the Book of Proportions.

And that the Council have passed the Bill Entituled *An Act for Raising a Publick Levy without any Amendment*

Ordered That Mr *Digges*, Mr *Grymes* & Mr *Eskridge* do examine the severall Inroll'd Bills, and they withdrew, and being Returned.

Mr *Digges* reported that the several Bills passed this House and the Council, were truly Inrolled.

Ordered That Mr *Digges*, Mr *Grymes* & Mr *Eskridge* do carry the said Bills to the Council for their perusal.

A message from the Council That they are Satisfyed the Severall Bills sent up to them are truly Inrolled.

Then the House Adjourned till *Monday* morning 10 aclock.

Monday December the 1st 1718

A MOTION being made

Ordered That the Clerk deliver to Mr *Speaker* or his Order two Copys of the Journal of this House within Ten days.

A message from the Governor by Mr *Robertson*.

Mr *Speaker*

The Governor commands the immediate Attendance of this House in the Council Chamber

Accordingly Mr *Speaker* with the House went up to attend the Governor, where his Honour was pleased to give his Assent to the following Bills *Viz*.

An Act for Impowering the Treasurer of this Colony to put out at Interest a Sum not exceeding Ten thousand pounds now in his hands.

An Act for Raising a Publick Levy

After passing those Bills His Hon^r made a Speech in the Words following

Gentlemen of the House of Burgeffes

The late Singular management and Extraordinary proceedings in your House, necessarily require that my concluding Speech to this Session should display some passages in my Administration & your Conduct, in order to vindicate my self and the Country from the Imputations of an Oppressing Governor and a discontented people.

Far from being disturbed at your violent Impeachments, I take this to be an happy Crisis, when the Country will be no longer imposed upon by malicious Whisperers, Clandestine Informers, and Anonymous Libellers of Government; for none could have been more Eager than my present Accusers to lay open every Act of Male Administration, and it cannot be doubted but that they have now drawn up the Total of my Charge.

Yet where is one Oppressive Act or single proof of publick discontent set forth? When did an Assembly ever sit before without recieving some one Grievance from the People? Or when did their Representatives acknowledge the Peacefull & Flourishing Condition

Condition of this Colony more Remarkable than you yourselves have done this year? And yet this is the Juncture you have chosen to dream of Oppression and Discontent!

I know some Seditious Spirits have long grudged me the Honour of Conducting this Province (by the Blessing of God) to its present happy State; and it's not very unaccountable, that a Cataline Crew of Male Contents should engage a few unwary men to join in their Conspiracy for shifting the Administration into other hands. But still, Secure under the protection of my Prince's Justice, I remain undaunted at all their angry doings, and tho' I am a Commander in Chief without a single Centinel to defend me in this Dominion, Yet Seeing So many Worthy Gentlemen protest against their proceedings, I dare now tell the Guilty to their faces, that I will still discountenance all such as I discover to be undutiful to their Prince, or Ungratefull to their Mother Country, and will continue to oppose that Restless Faction which seems to be unhappily entailed upon this government, and whose Machinations have in all Governor's times disturbed the publick Tranquility of the Colony merely to gratify their own private Repentm^{ts}

'Tis fitt the means these men have used to carry their present Point, with the Nature of their Charge and the Articles they exhibit to make the same good, be fairly laid open to the world.

At the opening of this Session, I gave you to understand that I had nought to lay before you, and your House seemed so little disposed to go upon business, that you began very early to refer matters to the consideration of the next Assembly; So that many Members apprehending this would be a short Session, and wherein nothing of moment would be transacted, refrained from coming and others got leave to return home, which I find was readily granted to such as were judged not easy to be brought into the measures that were then forming with the utmost Secrecy.

When yo^r House was thus modelled, a paper called An Address to the King, and a Duplicate thereof fairly drawn up to be signed, was produced by a Member in a most Surprising & Extraordinary manner without any previous Motion to prepare and bring it in: and this containing a generall Complaint as well of your Governor in *England* as against your Lieutenant Governor here, was admitted and your Speaker commanded immediately to sign the same, without debating first upon the particular Charges, but referring them to be argued next day.

Thus the Secret Managers of this Plott contrived to have the Judgment first Subscribed, and the merits of the Cause tryed afterwards; and by a bare Sight of a long Roll of Articles, drew some too Credulous persons to vote for passing the Address: And tho' the next day upon examining the Articles, three fourths of them were struck out as groundless, yet still the Address being Signed, the Remainder like the Sibils books must serve to make up the Sum of the Charge.

Wherefore I have now only four Articles to take notice of: Yet as we both appeal to *Cæsar*, I will not pretend to argue here Points that can be fairly in Judgment before my Royal Master, but shall only observe that you have laid your Charge, as if you expected no Determination, and only aimed to deceive yo^r Prince and traduce your Governour.

In the first & second Articles, the Crime alledged, is, that I (who have but a 13th Vote in the Court of Judicature) put a Misconstruction upon two Laws; in the 3^d that I have put a Quare to the Attorney Generall whether there be a Law for levying your pay. and in the 4th that I have reflected on your proceedings.

As this is the very Effence of all your Articles against me, can any unprejudiced Judges say that if they were fully proved (which I deny that they can be) they would make good your heavy Grievances Sett forth in your Address to his Majesty? wherein you alledge that I have attempted to subvert the Constitution of your Government, that I have deprived you of yo^r Ancient Rights and Priviledges, and do daily exercise many hardships upon his Majesties good Subjects.

But

* "Quare" should be Quære, now usually written Query.

But lest Strangers to our Contention should apprehend there might be some Attempts towards Subverting the Constitution by misconstruing these two Laws, 'tis necessary to explain that my Interpretation of the one was no more than to enforce a due payment of the King's Quitt Rents; and of the other to compleat a building I was empowered by Law to finish.

If it be the Right and privilege of the Burgeffes, when in their House, to fall foul on their Governour with Scurrilous Expressions; to manifest a disregard to the Interest of the Crown, and to run unreasonably Counter to what their Sovereign recommends, I must then own my Reproofs heretofore to have been Spared: But until I am satisfied that yo^r House is to be allowed such freedom of Speech and behaviour towards your Prince and his Lieutenant, I shall think I am in Duty bound to rebuke you; particularly for your wilfull Transgression of the Rule your Sovereign had prescribed for the presenting your Addreffes, when you the last Summer transmitted one to the King by an Agent of your own Appointment, And in like manner for offering me now a Reenacted Law, lyable to the very Objection for which his present Majesty repealed the same.

Nor must I pass over your trifling now with Sacred Majesty, when you expect your Prince should audit a Thousand pounds Acco^t of perhaps five hundred Articles, while you will not vouchsafe to consider the same yo^r Selves.

And surely it will be Reckoned an Irreverent Presumption in your House to fly with yo^r peevish Clamours to our Royal Master at home, ere you had fairly applyed to his Lieutenant here for Redress; Especially after you appear So conscious of your weak and groundless Charge, as to deny to give Security for prosecuting the same; For you know, I have offered, and you my Accusers refused to [place?] a Thousand pounds to go with the merits of the Cause.

Gentlemen of the Council & House of Burgeffes

I must not part with you, without rendering you just thanks for your ready Compliance with my Proposition of giving Rewards for the Suppressing of Pirates, And I may now tell you that I have already fitted out Sloops, and taken such Measures against those in *North Carolina*, that I am pretty confident of soon destroying that Wicked Crew there, And by a letter received last night from thence I expect that Notorious Pirate Tach is seized.

In fine Gentlemen

Percieving the Season of the year and your Inclinations to require a Recess, I shall now prorogue you to the 12th of May, And this Assembly is accordingly prorouged to *Tuesday* the 12th of May next.

JOURNAL

OF THE

HOUSE OF BURGESSES

AT A

GENERAL ASSEMBLY

begun and held at his Majesties Royal Capitol in the City of WILLIAMSBURGH On *Wednesday* the Second day of *November* In the Seventh year of the Reign of our Sovereign Lord GEORGE By the Grace of God Of *Great Britain ffrence and Ireland* King Defender of the ffaith &c. And in the year of our Lord One Thousand Seven hundred and Twenty.



RICHMOND, VIRGINIA.

MCMXI.

247-248

A GENERAL ASSEMBLY

BEGUN and held at his Majesties Royal Capitol in the City of WILLIAMSBURGH On *Wednesday* the Second day of *November* In the Seventh year of the Reign of our Sovereign Lord GEORGE By the Grace of God Of *Great Britain France* and *Ireland* King Defender of the ffaith &c. And in the year of our Lord One Thousand Seven hundred and Twenty.

On which day being the first day of the Sessions of this Assembly, about five a Clock in the afternoon *Nathaniel Harrison Cole Diggs* and *Peter Beverley Esq^s* who were Commissionated by the Honorable his Majesties Liev^t Governour and Command^r in Chief of this Colony to Administer the Oathes appointed by Act of Parliament to be taken instead of the Oathes of Allegiance and Supremacy, the abjuration Oath, the Test, and Oath of a Burgeess to all persons returned as members before they sat in the House. Came into the Conference Chamber the place appointed for that purpose. And the Clerk of the Secretarys Office presenting a List of the Burgeesses returned to Serve in this present Assembly and the Clerk of the General Assembly attending according to the duty of his place: The said *Nathaniel Harrison Cole Diggs* and *Peter Beverley Esq^s* did according to the Power to them given orderly and distinctly Administer the Said Oathes to all the Members who then appeared And a List was taken of the Names of all the Members that took the said Oaths And after the Members had seated themselves in the House of Burgeesses M^r *Corbin* M^r *Eskridge* M^r *Roscow*, M^r *Waller*, and M^r *Barber* went to Acquaint the Govern^r: That the House was met And being returned M^r *Corbin* delivered a message from the Governour That he did command this House to attend him immediately in the Council Chamber.—

And accordingly the House went up to attend the Govern^r: in the Council Chamber.

THE
JOURNAL
OF THE
HOUSE OF BURGESSES

Wednesday the 2^d day of November 1720.

THE House having attended the Govern^r and being returned M^r *Merewether* did put them in mind of the Governors Command to chuse a Speaker, and did nominate and recommend to the House. M^r *John Holloway*. And M^r *Waller* did nominate and recommend M^r *John Clayton* as persons of great ability and fit for so great a Trust.—

And after a Debate the Question was put by the Clerk, And M^r *Holloway* being by a Majority of voices called upon to the Chair, was conducted thither by Two Members. And being there placed made a gratulatory Speech to the House for their great kindness and affection towards him in their choice of him without his applying to any one of them for their Interest on that Occasion—

Ordered

That M^r *Corbin*, M^r *Merewether*, M^r *Harrison*, M^r *Burwell*, M^r *Mason*, M^r *Robinson*, M^r *Blaire*, M^r *Braxton*, M^r *W^m Randolph*, M^r *Willis*, M^r *Cole* and M^r *Roscow* do attend the Governour and acquaint him that this House hath made choice of a Speaker and desire to know what time he will appoint for them to present him—

Adjourned til tomorrow ten of the Clock in the Morning.—

Thursday November the 3^d 1720.

THE House being met and M^r *Speaker* Elect having taken the Chair, M^r *Corbin* reported That the persons appointed had according to order attended the Governour and desired to know what time he would appoint this House to present their Speaker, And that he was pleased to appoint One a Clock this day in the Council Chamber.

M^r *Armistead* produced a Certifycate of his having taken the Oathes appointed by Act of parliament to be taken instead of the Oathes of Allegiance and Supremacy, the abjuration Oath. The Test and Oath of a Burgefs and took his place.

A message from the Govern^r was delivered by M^r *Robertson*.

The Governour Commands the Immediate attendance of this House in the Council Chamber.—

And accordingly they went up with the Speaker Elect. And being returned M^r *Speaker* acquainted the House That the Govern^r had confirm'd their Choice of a Speaker and that he had in the Name of this House made the following Petitions.

first. That all the Members of the House with their Servants and necessary attendants might be Exempted from all manner of Arrests and Troubles.

Secondly. That they might have Liberty and fredome of Speech, in whatsoever they had Occasion to debate in the House—

Thirdly

Thirdly. That they might have access to his person on all urgent and necessary occasions.—And

Lastly. That they might have power over their own Members

And that the Governor was pleased to answer. He should avoid Inroaching on the Just Rights and Priviledges of this House. And he further acquainted the House That the Governour was pleased to make a Speech and to the end he might not misrepeat him he had obtained a Copy thereof which he read to the House together with an Extract of a Letter from the Lords Commiff^{rs} for Trade and Plantations and delivered the same to the Clerk who read the Said Speech as follows.

Gentlemen of the Council and house of Burgesjes.

After the signal proofs that I have given of my disposition to peace and Union, I may with a good grace recommend to you Moderation and Concord and whoever shall make a just Estimate of what the Colony has gained by the late Contentions, cannot but reckon them Enimies to the Country who shall endeavour to divide us again or will continue to create groundless Jealousies of my administration

If we meet to consult and agree, General Assemblies undoubtedly are a most wholesome part of the Constitution, but if Some Vulgar notions are to prevail as if the body ought to thwart and oppose the head, our Sessions must prove nothing better than a burthen to the People: and that vividious [invidious] distinction of the Countrys and the Governours friends (which I am Sorry to observe Some men have been industrious still to keep up) must prove a Poison to your proceedings if you Suffer it to take place in your present Consultations.—

To consider the Stake I have among you and the free choice I've made to fix it under this Government You have not Surely any grounds to Suspect me of injurious Designs against the welfare of this Colony, for if a Conscientious discharge of our duty engages us Governours to be Specially mindful of *Great Britains* Interest yet I cannot See why that may not go hand in hand with the prosperity of these plantations and I will frankly declare to you the Political Creed which I profess on this point.

I look upon *Virginia* as a Rib taken from *Britains* Side and believe that while they both proceed as living under the Marriage compact, this *Eve* must thrive so long as her *Adam* flourishes, and I'm perswaded that whatever Serpent shall tempt her to go astray and meddle with forbidden matters will but multiply her Sorrow and quicken her husband to rule more strictly over her.—

If your proceedings be duly tempered with this perswasion, I hardly imagine any thing that can urge us to differ this Session, for (praised be God) this Government is at present under more happy Circumstances than to need my pressing you for Supplies, and as We of the Administration are upon a better Establishment than to become troublesome to you for our Salaries, so my own desires are more bounded than to be Anxious or Solicitous for your Bounties

Besides my purpose is to offer nothing to you at the Opening of this Session but what you may be as forward to enact, as I to pass and therefore I shall no more than barely hint what I think fit to propose assuring you that if the needfulness thereof be not as obvious to you as to me I will acquiesce with all the Indifference that is consistent with my Duty.—

And so I remark to you the naked State both of your harbours and frontiers, the disarmed Condition of your Militia, the Inconvenient length of many Counties, and I leave to your consideration whether the giving Encouragment for Extending your Out Settlements to the high Ridge of Mountains, will not be laying hold of the best Barrier that nature could form, to Secure this Colony from the Incursions of the Indians and more dangerous Inroachments of the *French*, And Lastly I lay before you the Sentiments of the Lords Commiff^{rs} for Trade and plantations. with respect to Treaties with the five Nations of Northern Indians.

November the 3^d 1720

The Extract of the said Letter was again read—

Resolved

Resolved Nemine Contradicente

That an addrefs of Thanks be prepar'd to the Governour for the kind Expreffions contained in the laid Speech.

Resolved

That this Houfe will take the Governors Speech into confideration on *Tuefday* next.

Ordered

That a Committee of Elections and priviledges be appointed of the perfons following.

M^r Corbin Chairman

<i>M^r Efcridge</i>	<i>M^r Prefley</i>
<i>M^r Cole</i>	<i>M^r Waller</i>

Ordered

That a Committee for Publick Claimes be appointed of the following perfons.

M^r Harrison Chairman

<i>M^r Bridger</i>	<i>M^r Lee</i>
<i>M^r W^m Ball</i>	<i>M^r Maſon</i>
<i>M^r Wallers</i>	<i>M^r Conington</i>
<i>M^r Willis</i>	<i>M^r Lawr. Smith</i>
<i>M^r Jones</i>	<i>M^r Johnson.</i>

Ordered

That a Committee for poſitions [propoſitions] and Grievances be appointed of the following perfons.—

M^r Clayton Chairman

<i>M^r Corbin</i>	<i>M^r Will^m Randolph.</i>
<i>M^r Efcridge</i>	<i>M^r Robinſon</i>
<i>M^r Merrewether</i>	<i>M^r Braxton</i>
<i>M^r Burwell</i>	<i>M^r Blair</i>
<i>M^r Grymes</i>	<i>M^r Bouſh</i>
<i>M^r Beverley</i>	<i>M^r Roſcow.</i>

Then the Queſtion was put—

That a Select Committee be appointed to prepare the Addrefs to the Governour
It paſſed In the Negative

Ordered

That the Committee of Propoſitions and Grievances do forthwith prepare the Said Addrefs.—

The Several petitions of *Hugh Jones*. and *Peter fontaine* praying to be admitted to read prayers to this Houfe during this Seſſion were read—

Ordered

That *Hugh Jones* Clerk be appointed Chaplain to this Houfe and that he attend every Morning at Eleven a Clock in the Conference Chamber and that *M^r Clayton* and *M^r Grymes* do acquaint the Governour and Council therewith.—

Ordered

That *M^r Godfrey Pole* be appointed Clerk to the Committee of Propoſitions and Grievances and that he give his attendance accordingly.—

Ordered

That *M^r Richard Cary* be appointed Clerk to the Committee of Elections and Priviledges and Publick Claims and that he give his attendance accordingly—

Ordered

That *William francis*, *James Haſſel*, *William Wager* and *Robert Dyer* be appointed Doorkeepers to this Houfe and that they give their attendance accordingly.—

Adjourned til tomorrow Eleven of the Clock in the morning.—

Fryday

Fryday November the 4th 1720

MR *Clayton* reported that the persons appointed had according to Order acquainted the Governour and Council That this House had appointed a Chaplain who would attend every morning at Eleven of the Clock in the Conference Chamber to read prayers. And that the Governour answered.— Whenever this House should be disposed to pay him any Civility's he should be ready to acknowledge them, and that accordingly he returned this House his thanks for the notice they had given him—

The Orders of the House for the last Session being read at the Table.

Resolved.

That the House do approve of the Same and that they shall continue Orders for this Session.

Ordered

That the Said Orders lye constantly on the Table for every Members perusal.—

Ordered

That the Committees have power to adjourn themselves from Day to day and send for persons Records Journalls and other papers they shall from time to time have Occasion of.—

Resolved

That no Propositions, Grievances or Claimes be received after *Tuesday* next without particular Leave of the House.—

Ordered

That the Clerk do publish the Said Resolve by Setting up a fair Copy thereof at the Capitol door.—

Ordered

That the Committee of Propositions and Grievances Inspect the Journals of the last Session of the last Assembly and prepare and draw up a State of the matters then depending and undetermined and the progress that was made therein and report the Same to the House

Ordered

That the Committee for Publick Claimes inspect the report of the said Committee at the last Session of the last Assembly and report to the House what they find necessary therein to be further considered this Session.

Resolved

That fifteen Members with the Speaker be a Sufficient Number to adjourn.

Ordered

That the Committee of Propositions and Grievances inspect the Temporary Laws which are Expired or will Expire with this Session and report the Same to the House.—

A petition of M^r *John Robinson* Complaining of an undue Election and Return of *Gawin Corbin* Gent. to Serve in this present Assembly for the County of *Middlesex* was read.—

Ordered

That the Same be referd to the consideration of the Committee of Elections and Priviledges to Examine the matter and report the Same with their Opinion therein to the House—

Ordered

That M^r *Corbin* withdraw during the consideration of the Said Petition—

Then the Question was put.

That an addition be made to the Committee of Elections and Priviledges during the consideration of the Said Petition—

It passed In the Negative—

A Petition of M^r *John Bolling* complaining of an undue Election of *Thomas Randolph* Gent. to Serve in this present Assembly for the County of *Henrico* was read.

Ordered

Ordered

That the Same be referd to the confideration of the Committee of Elections and priviledges to Examine the matter and report the Same with their Opinion therein to the Houfe.—

The Several Petitions following were read.

A Petition of the Inhabitants of the Countys of *King* and *Queen* and *King William* praying that Two ferrys may be appointed on *Mattapony* River.

A Petition of the Upper Inhabitants of *King* and *Queen* praying a Division of the Said County—

A petition of the upper Inhabitants of *Henrico* Parifh praying a Division of the Said Parifh—

Ordered

That the Said Petitions be refer'd to the confideration of the Com^{tee} of Propositions and Grievances to Examine the matter and report the Same with their Opinions therein to the Houfe.

A Petition of M^r *Edwin Conway* complaining of an undue Election of Burgefes to Serve in this prefent Affembly for the County of *Lancafter* was read

Ordered

That the Same be refered to the confideration of the Com^{tee} of Elections and Priviledges to Examine the matter, and report the Same with their Opinion fhewn to the Houfe.—

Grievances from the County of *Northumberland* were prefented and read.

Ordered

That the Same be referd to the confideration of the Com^{tee} of propositions and Grievances to Examine the matter and report their Opinon therein to the Houfe.—

A Propofition from the County of *Middlefex* for Chrifianizing Negro's and Slaves was read.—

Ordered

The [that] the Same be refer'd to the confideration of the Committee of Propofitions and Grievances to Examine the matter and report their Opinions therein to the Houfe—

Several Claimes from the Countys of

Prince George

New Kent

Middlefex

Lancafter

Effex

Gloucefter

Surry

Richmond

King William

Elizabeth City

York

Wefimorland

Were prefented to the Houfe and referd to the confideration of the Committee of Publick Claimes to Examine the matter and report their Opinions therein to the Houfe.

Ordered

That the Clerk of the Houfe deliver to the Chairman of the Committee of Elections and Priviledges the Several writs for Election of Burgefes which fhall come to his hands and that the faid Committee take into their confideration the Several Returnes thereon and report their Opinions therein to the Houfe—

A Petition of the Inhabitants of *King William* County praying That a ferry may be appointed on *Pamunkey* River was read.

Ordered

That the Same be referd to the confideration of the Committee of Propositions and Grievances to Examine the matter and report their Opinions therein to the Houfe.—

Ordered

That M^r *Mumford* M^r *Crawford* and M^r *Harwood* make application to the Governour for a New writ for Elecing a Burgefes to Serve in this General Affembly for the County of *Prince George* in the room of *Edward Goodrich* Gentleman deceafed.—

Adjourned til tomorrow Eleven of the Clock in the morning.

Saturday

Saturday November the 5th 1720

SEVERAL Claimes from the Counties of *Henrico James City* and *Stafford* were presented to the House and referd to the consideration of the Committee of Publick Claimes to Examine the matter and report their Opinions therein to the House.—

A petition and Claim of *Henry Hayward* was presented to the House and read.

Ordered

That the Same be referd to the consideration of the Committee of Publick Claimes to Examine the matter and report their Opinions therein to the House.

The Claimes of *William Kembel* and *Henry Briggs* Indian Interpret^{rs} were presented to the House and referd to the consideration of the Com^{tee} of Publick Claimes to Examine the matter and report their Opinions therein to the House.—

The Petition of Mr *Joshua Curl* complaining of an undue Election and Return of *Anthony Armistead* Gent. to Serve in this present Generall Affembly for the County of *Elizabeth City*.—

The Petition of Mr *Daniel McCarty* complaining of an undue Election and Return of *Thomas Lee* Gent. to serve in this present Affembly for the County of *Westmorland*.— Were presented to the House and read.

Ordered

That the Same be refer'd to the consideraçon of the Com^{tee} of Elections and Priviledges to Examine the matter and report their Opinions therein to the House.

Mr *Clayton* reported that the persons appointed had according to Order prepared an addrefs to the Governour which he read in his place and delivered in at the Table. where the same was again read and Unanimously agreed to by the House as follows—

To the Hon^{ble} Alexander Spotswood his Majefties Lieut. Govern^r. and Command^r. in Chief of Virg^a

The Humble Addrefs of the House of Burgeffes.

SIR.

His Majeft^y most Loyal and dutifull Subjects the Burgeffes of this present General Affembly Do in all humble Thankfulnefs acknowledge the favour of Your Honours most kind and affectionate Speech delivered at the Opening of this Sess^{ion}.—

Tis with Joy not to be Expressed That we are now met to See a late unhappy Division So unexpectedly United, which next (under God) We must ascribe to your peareable [peaceable] disposition. And shal most heartily agree after the Example of our Governour to banish all Contentions out of our Counsels and Debates and Set our selves— Earnestly and Sincerely to consult the United Interest of our Royal Sovereign and this Dominion whose felicity it is to be Joined in Interest with the Kingdome of *Great Britain*

It is with great Concern, we hear That any Distinctions are raised or kept up among the people upon the Odious position That A friendship for our Governour is incompatible with the Interest of our Country and beg Leave to Assure your Honour We shall Esteem those persons Enemies to the Publick who shall by any meanes whatsoever Endeavour to Seduce the minds of the people from the Duty they owe to So good a Governour.

We must Joyfully acknowledge the Satisfaction we have to See our Country in So prosperous and flourishing a Condition as to want no Suppl^ys from us, as well as to be under the Administration of So just a Governour And Do beg leave to assure your Honour We will apply our Selves with all diligence to deliberate those Important matters you have been pleased to refer to our Consideration—

Ordered

That the Said Addrefs be fairly transcribed and Signed by the Speaker and presented by the whole House.—

Ordered—

That the Committee of Propositions and Grievances do attend the Govern^r and desire to know when and where this House shall present the said addrefs.

M^r

Mr. *Clayton* reported That the Committee of Propositions and Grievances had accorded to Order, attended the Governour and desired to know when and where this House should present their Address, and that the Governour was pleased to answer—He had received a message from the Council to know when they should present their address That he should be at the Capitol this morning and would give this House notice when he was ready to receive their address.—

A message from the Governour was delivered by Mr. *Robertson*—
Mr. *Speaker*.

I am commanded by the Governour to acquaint this House That his Honour is now ready in the Council Chamber to receive the Address mentioned in your message to him of this Day.—

The House went up accordingly and being returned Mr. *Speaker* reported That the House had attended the Governour in the Council Chamber with the Address of Thanks lately prepared and that the Governour received the Same very favourably and was pleased to make answer thereto in these words.—

Mr. *Speaker and Gentl^{rs} of the House of Burgeses*.

I can no more than you Express the pleasure that I conceive at this happy Prospect of our good Agreement.

I heartily thank you for this kind and Seasonable address which cannot but Strengthen the hands of the Administration and Tend Effectually to Improve that pacification which is So happily begun—

A Petition and Grievance from the County of *Stafford* was presented and Read
Ordered

That the Same be refer'd to the consideration of the Committee of Propositions and Grievances to Examine the matter and report their Opinions therein to the House—

Resolved

That Mr. *Speaker* and Mr. *Clayton* who are Impowered by Act of Assembly to repair and amend the Capitol, be desired Immediately to Employ the workmen to Close up North Arches in the Piazza of the Capitol—

Mr. *Mumford* reported That the Governour according to the Desire of this House, had ordered a Writ to Issue for Electing a Burgeses to Serve in this present Assembly for the County of *Prince George* in the Room of Mr. *Edward Goodrich* deceased—

Adjourned til Eleven a Clock on *Monday* Morning.

Monday November the 7th 1720.

THE House being mett
Adjourned til Eleven a Clock tomorrow morning

Tuesday November the 8th 1720.

SEVERAL Claimes from the Countys of
Nansemond.....*Princess Anne*
Accomack.....*King and Queen*
Northampton.....*Charles City*
Warwick—

were presented to the House and refer'd to the consideration of the Committee of Publick Claimes to Examine the matter and report their Opinions therein to the House.—

The Several Claimes following were presented to the House—

A Claim of Mr. *Richard Hickman*.—

A Claim of *Katherine Cragg*.

A Claim of *James Shields*

A Claim of *Mr. Joseph Walker*

A Claim of *James Adams* an Indian Interpreter.

Ordered

That the same be referred to the consideration of the Committee of Publick Claims to Examine the matter and report their Opinions therein to the House.

Several Propositions and Grievances from the Countys of

Princes Anne.....*Surry*

New Kent.....*King William*

Richmond.....*Middlesex*

Prince George.....*Essex*.—

Were presented to the House.

Ordered

That the Same be referred to the Consideration of the Committee of Propositions and Grievances to Examine the matter and report their Opinions therein to the House.—

A Petition of *John Randolph* praying to be allowed for Six Copies of the Journal and five Copies of the Lawes of the last Session of the Last Assembly.—was read.

Ordered

That the Same be Referred to the consideration of the Committee of Publick Claims to Examine the matter and report their Opinions therein to the House.—

Ordered

That the Clerk of the House deliver *Mr. Speaker* a Copy of the Journal of this Session and that he be allowed for the Same as usual

Mr. Clayton reported from the Committee of Propositions and Grievances That the Said Committee had had under their consideration Several of the matters to them Referred and were come to Some Resolutions thereupon, which he read in his place and delivered in at the Table where the Same was again read and is as follows.

On consideration of Petition of diverse Inhabitants of *King* and *Queen* and *King William* Countys praying That ferrys may be appointed over *Mattapony* River at *Norments* and *Whites*.—

It is the Opinion of the Committee That ferrys ought to be appointed at the Said places.—

On consideration of the Petition of diverse Inhabitants of *King William* County, praying that Liberty may be granted unto *Robert King* to keep a ferry over *Pomonkey* River.

It is the Opinion of the Committee That a ferry be appointed accordingly.—

On consideration of the Petition of the Upper Inhabitants of *Henrico* Parish, praying That they may be a Parish of themselves And that the Tobacco they have Expended in the Three yeares last past towards building Two Churches may be repaid.—

It is the Opinion of the Committee That the said Parish ought to be divided and the Tobacco repaid.—

On consideration of the Grievance from *Northumberland* County Complaining of the Importation of Tobacco from *Maryland* into the Said County.

Resolved

That the Same be rejected

On consideration of the Grievance from the Said County relating to large Quantities of Horses and Mares running at large in the Said County.

Resolved

That the Same be Rejected being provided for by Law.—

On consideration of the Grievance from the Said County relating to the Inconvenience of the Clerk of the County Courts Office.

Resolved

That the same be rejected

Resolved

That this House doth agree with the Committee

Resolved

Resolved

That a Bill be prepared for appointing two ferrys over *Matapony* at *Norments* and *Whites* and One ferry over *Pamunkey* at *Robert King's*

Ordered

That the Committee of Propositions and Grievances do prepare and bring in the Said Bill

Resolved

That a Bill be prepared for dividing *Henrico* Parish and Repaying the Said Tobacco.

Ordered

That Mr. *William Randolph* and Mr. *Thomas Randolph* do prepare and bring in the Said Bill.

The House then Resolved into a Committee of the whole house to consider the Governor's Speech.

Mr. *Speaker* left the Chair

Mr. *Clayton* took the Chair of the Committee

Mr. *Speaker* resumed the Chair

Resolved

That this House will tomorrow Resolve it Self into a Committee of the whole House to consider further of the Governours Speech.—

Mr. *Corbin* from the Committee of Elections and Priviledges report'd That the said Committee had taken into Consideration Several Returnes of Writs to them refer'd and had agreed upon a report which he read in his place and then delivered the Same in at the Table where it was again read and agreed to by the House as follows.—

Resolved

That Mr. *W^m Randolph* and Mr. *Thomas Randolph* are duly returned Burgeffes to Serve in this present General Assembly for the County of *Henrico*

Resolved

That Mr. *John Lear* and Mr. *James Reddick* are duly returned Burgeffes to Serve in this present Generall Assembly for the County of *Nansemond*.

Resolved

That Mr. *Willis Wilfon* and Mr. *William Crawford* are duly returned Burgeffes to Serve in this present General Assembly for the County of *Norfolk*.—

Resolved

That Mr. *Maximilian Boush* and Mr. *Ant^o Walke* are duly returned Burgeffes to Serve in this present General Assembly for the County of *Princejs Ann*.

Resolved

That Mr. *James Rickets* and Mr. *Anthony Armistead* are duly returned Burgeffes to Serve in this present General Assembly for the County of *Elizabeth City*.—

Resolved

That Mr. *Cole Diggs* and Mr. *William Cole* are duly returned Burgeffs to Serve in this present General Assembly for the County of *Warwick*.—

Resolved

That Mr. *James Roscow* is duly returned Burgeffs to Serve in this present Generall Assembly for the County of *Warwick* in the room of *Cole Diggs Esq^r* who is Since his Election called up to be One of his Majesties Council of State—

Resolved

That Mr. *John Holloway* and Mr. *Lawrence Smith* are duly returned Burgeffes to Serve in this present General Assembly for the County of *York*.—

Resolved

That Mr. *Thomas Jones* is duly returned a Burgeffs to Serve in this present General Assembly for the Colledge of *William and Mary*.—

Resolved

That Mr. *Nicholas Merewether* and Mr. *John Stamp* are duely Returned Burgeffes to Serve in this present General Assembly for the County of *New Kent*.—

Resolved

Resolved

That M^r *John Waller* and M^r *Thomas Johnson* are duely returned Burgeffes to Serve in this present General Assembly for the County of *King William*.—

Resolved.

That M^r *Henry Willis* and M^r *Nathan^l Burwell* are duly Returned Burgeffes to Serve in this present gen^l assembly for the County of *Gloucester*

Resolved

That M^r *Jⁿ Grymes* and M^r *Gawin Corbin* are duly returned Burgeffes to Serve in this present General Assembly for the County of *Middlesex*.

Resolved

That M^r *William Woodbridge* and M^r *Charles Barker* are duly returned Burgeffes to Serve in this present General Assembly for the County of *Richmond*.—

Resolved

That M^r *George Majon* and M^r *Will^m Robinson* are duly returned Burgeffes to Serve in this present General Assembly for the County of *Stafford*.—

Resolved

That M^r *George Escribde* and M^r *Thomas Lee* are duly returned Burgeffes to Serve in this present General Assembly for the County of *Westmorland*.—

Resolved

That M^r *William Ball* and M^r *James Ball* are duly returned Burgeffes to Serve in this present Generall Assembly for the County of *Lancaster*.

Resolved

That M^r *Peter Presly* and M^r *Peter Hack* are duly returned Burgeffes to Serve in this present General Assembly for the County of *Northumberland*.—

Resolved

That M^r *John Teackle* and M^r *Solomon Ewel* are duly returned Burgeffes to Serve in this present General Assembly for the County of *Accomack*.—

Resolved

That M^r *W^m Waters* and M^r *George Hermanfon* are duely returned Burgeffes to Serve in this present Gen^l Assembly for the County of *Northampton*.—

M^r *Corbin* further reports from the Said Committee That they had taken into Consideration Several other Returnes to them refer'd and had agreed upon a report which he read in his place and then delivered the Same in at the Table where it was again read and is as follows.—

Resolved

That M^r *Edward Goodrich* and M^r *Robert Mumford* are by M^r *John Hardyman* Sherif of *Prince George* County returned Burgeffes to Serve in this present General Assembly for the Said County of *Prince George* but forasmuch as the year of the Kings Reign is not rightly inferted It is therefore Submitted to the consideration of the House whether the Said Sherif shall be sent for to mend his Returne—

Resolved

That M^r *Henry Harrifon* and M^r *John Simmons* are by M^r *Thomas Collier* Sherif of *Surry* County Returned Burgeffes to Serve in this present General Assembly for the Said County of *Surry* But forasmuch as the year of the Kings Reigne is not rightly inferted It is therefore Submitted to the Consideration of the House whether the said Sherif shall be Sent for to mend his Return—

Resolved

That M^r *Will^m Bridger* and M^r *Arthur Smith* are by M^r *Joseph Godwin* Sherif of *Isle of Wight* County returned Burgeffes to Serve in this present general Assembly for the said County of *Isle of Wight* But forasmuch as the year of the King's Reign is not rightly Inferted It is therefore Submitted to the consideration of the House whether the Said Sherif shall be Sent for to mend his Return

Resolved

That M^r *Archibald Blair* and M^r *John Clayton* are by M^r *James Duke* Sherif of *James City* County returned Burgeffes to Serve in this present General Assembly for the Said County

County of *James City*. But forasmuch as the year of the Kings Reign is not rightly inferted It is therefore Submitted to the consideration of the House whether the Said Sherif shall be sent for to amend his return—

Resolved

That M^r *William Broadnax* is by M^r *James Duke* Sherif of *James City* County returned a Burgefs to Serve in this present General Assembly for *James Town* But forasmuch as the year of the Kings Reign is not rightly inferted It is therefore Submitted to the consideration of the House whether the said Sheriff shall be Sent for to mend his Return.—

Resolved

That M^r *John Stith* and M^r *Samuel Harwood Jun^r* are by M^r *Lewellin Epes* Sherif of *Charles City* County returned Burgeffes to Serve in this present General Assembly for the said County of *Charles City*. But forasmuch as the year of the Kings Reign is not Rightly inferted It is therefore Submitted to the consideration of the House whether the Said Sherif Shall be sent for to mend his Return—

Ordered

That the Clerk of this House do amend the said Returnes—

M^r *Corbin* further reports from the Said Committee That they had had under their consideration Several other Returnes to them Refer'd and had agreed upon a Report which he read in his place and then delivered the Same in at the Table where it was again read and is as follows.—

Resolved

That M^r *George Braxton* and M^r *Robert Beverley* are by *William Southerland* Sherif of *King* and *Queen* County returned Burgeffes to Serve in this present General Assembly for the Said County of *King* and *Queen* But forasmuch as the Said Return is not made as the Law in that Case directs, It is therefore the Opinion of this Committee That the Said Sherif be Sent for to mend his 1st Return—

Resolved

That M^r *Jⁿ Hawkins* and M^r *Richard Covington* are by *Lawrence Taliaferro* Sherif of *Effex* County Returned Burgeffes to Serve in this present General Assembly for the Said County of *Effex* But forasmuch as the Said Return is not made as the Law in that Case directs It is therefore the Opinion of this Committee That the Said Sherif be Sent for to mend his Said Return—

Resolved.

That this House doth agree with the Committee That M^r *William Southerland* be Sent for in Custody to amend his Said Return

Then the Question was put

That the Speakers Warrant Issue Immediately to take the said *William Southerland* into Custody.

It pass In the Negative—

Ordered

That the Same do not Issue till *Munday* next.

Resolved

That this House doth not agree with the Committee That M^r *Lawrence Taliaferro* be Sent for to mend the said Return

Ordered

That the Same be amended by the Clerk.—

M^r *Corbin* further reports from the Committee of Elections and Priviledges That the Committee had taken into consideration the Petition of *John Bolling* Complaining that M^r *Thomas Randolph* is unduely Elected a Burgefs for the County of *Henrico* And had agreed upon a report which he read in his place and afterwards delivered the Same in at the Table where the Same was again read and it is as follows.—

Resolved

That the Said Petition be heard on *Monday* the twenty first day of this Instant *November*, and that M^r *Speaker* be desired to Issue his Warrant to Summon the Severall Witneffes

Witneffes to be named by each party to appear before this Committee on the Said Twenty first day of this Instant *November*.

Resolved

That this House doth agree with the Committee That Mr *Speaker* be desired to Issue his warrant to Summon the Said Witneffes—

Ordered

That the Deposition of *John Woodjon* who is now in Town, be taken before the Committee of Elections and Priviledges, in behalf of the Said *Thomas Randolph* and that a Copy thereof be sent to the Said *John Bolling*.—

Mr *Corbin* further reports from the Committee of Elections and Priviledges That the Committee had taken into consideration the Petition of Mr *Edwin Conway* complaining That the Sherif of *Lancaster* County had appointed the day for Election of Burgeffes in the said County contrary to Law. And that Several freeholders never heard the writ published And therefore were not present at the said Election. And had agreed upon a report which he read in his place and afterwards delivered the Same in at the Table where the same was again read and it is as follows.—

It appears to this Committee That the freeholders of the said County had Sufficient notice of the day for the Said Election. And therefore are of Opinion That the Said Petition be rejected.—

A Debate arising upon the Said report.

Resolved

That the Same be adjourned til tomorrow—

Mr *Corbin* further reported from the Committee of Elections and Priviledges That they had had under their consideration the Petition of Mr *Daniel McCarty* complaining That Mr *Thomas Lee* is unduly Elec^ted a Burgefs for the County of *Westmorland* and had agreed upon a report which he read in his place and then delivered the same in at the Table where it was again read And being amended is as follows.—

Upon reading the Petition of Mr *Daniel McCarty* Complaining that Mr *Thomas Lee* is unduly Elec^ted a Burgefs for the County of *Westmorland*, the said Mr *Lee* appeared and agreed That *John Chilton Thomas Newton* and *George Turberfield* Gentl. Justices of the peace for the Said County or any Two of them should take the Depositions of the Several Witneffes in the Countys of *Westmorland Richmond* and *Stafford* for and in behalf of both partys. And that Mr *Speaker* be desired to Issue his Warrant to Summon the Several Witneffes to be named by each party to the Sherif of the Countys. And that their Depositions taken by the Said Justices as aforefaid be transmitted to this Committee by the Twenty Second day of this Infant being the day appointed for the hearing of the Said Petition.—

Resolved.

That this House doth agree to the Said report That the Speaker be desired to Issue his Warrant to Summon the Said Witneffes.

Adjourned til tomorrow Eleven a Clock in the Morning

Wednesday November the 9th 1720.

THE House Resolved into a Committee of the whole House further to proceed in the consideration of the Govern^rs Speech—

Mr *Speaker* left the chair

Mr *Clayton* took the Chair of the Committee

Mr *Speaker* resumed the Chair.—

Mr *Clayton* reports from the Said Committee That they had had under their consideration Some parts of the Governours Speech, and had agreed upon a Report, which he read in his place and afterwards delivered the Same in at the Table where it was again twice read and agreed to And it is as followeth *viz*.

Resolved

Resolved

That the House by their address hath already answered all the matters contained in the Governours Speech Except those mentioned in the Two last Paragraphs.—

Resolved.

That a Naval force is the only Security and best defence of the harbours of this Country.

Resolved.

That application be made to his Majesty accordingly

Resolved

That Such Ships of Warr as shall from time to time be appointed to Guard the Coasts and Harbours of this Colony will be of better Service if the Same be obtained to be under the Immediate direction of the Governour of *Virginia* for the time being.

Resolved

That the Governour be desired to lay before the House his Letter to Colonel *Schylar* mentioned in the Letter of the Lords Commiss^{rs} for Trade and Plantations by him refer'd to in his Speech Together with any other Papers he shall think necessary towards giving the House greater Light into the business of the treatys with the five Nations of Northern Indians or Securing the frontiers of this Colony.—

Resolved

That this House will tomorrow resolve it Self into a Committee of the whole House further to consider the Governours Speech.—

Ordered

That M^r. *Corbin*, M^r. *Robinson* M^r. *Merewether*, M^r. *Grymes*, M^r. *William Randolph* M^r. *Cole*, M^r. *Blair*, M^r. *Lee* and M^r. *Mumford* Do attend the Governour and desire him to lay before this House his Letter to Colonel *Schylar* mentioned in the Letter of the Lords Commiss^{rs} for Trade and plantations by him refer'd to in his Speech Together with any other Papers he shall think necessary towards giving the House greater Light into the Business of the Treaties with the five Nations of Northern Indians or Securing the frontiers of this Colony.—

A Petition of M^r. *Charles Grymes* complaining of an undue Election and Return of *Charles Barber* Gentlm. to Serve in this present General Assenby for the County of *Richmond* was read.—

Ordered

That the Same be refer'd to the consideration of the Committee of Elections and Privileges to Examine the matter and report their Opinions therein to the House.—

M^r. *Corbin* reports That the persons appointed had according to Order attended the Governour to desire him to lay before this House his Letter to Colonel *Schylar* Together with any other Papers he shall think necessary towards giving the House greater Light into the Business of the Treaty with the five Nations of Northern Indians or Securing the frontiers of this Colony. And that the Governour was pleased to Say he would Send Copies of them—

Ordered

That the Speaker Issue his Warrant to Summon Such Witnes^s to appear the Sixteenth of this Instant *November* before the Committee of Elections and Priviledges then and there to be Examined touching the Complaint of *Joshua Curl* against *Anthony Armistead* a Member of this House as shall be named by each Party.—

The House Resumed the adjourned Debate on the report of the Committee of Elections and Privileges made upon M^r. *Edwin Conoways* petition—

Ordered

That M^r. *William Ball* and M^r. *James Ball* withdrew during the Said Debate—

After a Debate the Question was put

That the Report of the Committee That the Petition of M^r. *Edwin Conoway* be rejected be agreed to—

Resolved In the Affirmative

Adjourned til tomorrow morning. Eleven a Clock.

Thursday

Thursday November the 10th 1720.

A PETITION of *Henry Coulton* praying to be relieved out of Prison was read.

Resolved

That the Same be rejected—

M^r. Clayton laid before the House an Account of the Charges of the Monument Erected to the Memory of *Col^o. Nott* late Governour of this Colony.—

Ordered

That the Same be refer'd to the consideration of the Com^{tee} of Publick Claimes to Examine the matter and report their Opinions therein to the House—

Ordered

That *Peter Beverley Esq^r* Treasurer of the Dutys upon Liquors and Slaves do lay his Accounts thereof before this House—

A Petition of Sundry Inhabitants of the County of *Effex* Complaining of Several hardships Imposed on them by the Militia Court lately held in that County and praying Relief therein was read.—

Ordered.

That the Same do lye on the Table—

A Petition of *William Southerland* Sherif of the County of *King* and *Queen* praying to be admitted to amend his Return was read.—

Resolved.

That the Same be rejected.—

An account of Several Sums due to the Estate of *John Broadnax* deced for Publick Services was with the Leave of the House presented and received.

Ordered

That the Same be refer'd to the consideration of the Committee of Claimes to Examine the matter and report their Opinions therein to the House—

Resolved

That this House will tomorrow Resolve it Self into a Committee of the whole House further to consider the Govern^rs Speech—

Adjourned til Eleven a Clock tomorrow morning

Fryday November 11th 1720.

A WRITTEN Message from the Governour was delivered by *M^r. Robertson—*

M^r. Speaker and Gentlemen of the House of Burgeffes.

In compliance with your Message of yesterday I now Send you the Copy of my Letter to Colonel *Schlyer* writ to him as president of *New York*. the 25th of *January* last as also a Copy of the Preliminary Articles therein mentioned. And if you incline to have under your present Consideration all the Tranfactions of this Government with the five Nations. I shall forthwith Order the Reccords to be Searched. and lay before you all the Publick Treatys Conferences, and Negotiations with those Indians.—

However, I must desire to know the Sense of this present Assembly upon the afore-said Preliminary Articles, and whether you'll adjudge them to be a Ceremonial that may be waved, or an Essential part. which this Government ought to insist on. And likewise whether you'll advife, and Enable me to Send Commissioners to treat at *Albany*. before the five Nations or the Government of *New York*. shall Return Some answer to those preliminaries.

November the 10th 1720—

A. Spotswood.

Ordered

That the said Message be referd to be considered by the Committee of the whole House to whom the further consideration of the Governours Speech is referd.—

The

The House Resolved it Self into a Committee of the whole House further to proceed in the Consideration of the Governo^rs Speech.—

M^r Speaker left the Chair

M^r Clayton took the Chair of the Committee.

M^r Speaker. Refumed the Chair.

M^r Clayton reports from the Said Committee That they had had under their Consideration Some parts of the Governours Speech—and and had agreed upon a Vote which he read in his place and afterwards delivered the same in at the Table where the Same was again read, and agreed to by the house and is as follows—

Resolved

That a free Conference be desired with the Council on the Subject matter of that part of the Governours Speech which relates to the Security of the frontiers of this Colony.

Resolved

That this House will again resolve it self into a Committee of the whole House to morrow, further to consider the Governours Speech—

M^r Johnson on his Motion has leave to be absent from the Service of the House til Tuesday next.—

M^r Crawford on his motion has Leave to be absent from the Service of the House til Wednesday next.—

M^r Thomas Randolph on his motion has leave to be absent from the Service of the House til Wednesday next—

Ordered

That *M^r Grymes*, *M^r Roscow*, *M^r James Ball* and *M^r Walk* do carry up the Message to the Council to desire a free Conference.

Ordered

That *M^r Speaker* Issue his warrant to Summon Such witnesses to appear the Seventeenth day of this Instant before the Com^{tee} of Elections and Priviledges then and there to be Examined touching the Complaint of *John Robinson* against *Gawin Corbin* A Member of this House as shall be named by each party.—

Ordered

That *M^r Speaker* Issue his Warrant to the Sherifs of *Richmond* and *Westmorland* to Summon Such Witneffs to appear before *John Tayloe*, *Nicholas Smith* and *James Jugo* Gentlm. Justices of the Peace for the Said County a [at] Such time and place as shall be appointed, to be Examined touching the Complaint of *Charles Grymes* against *Charles Barber* a Member of this House as shall be named by each party.—

A Petition of *Christopher Jackson* praying the direction of this House in the Laying out the Land. Set apart for a Port at *Archers Hope* Creek was read.

Ordered

That the Same do lye on the Table.—

Severall Propositions and Grievances from the Countys of

Ifle a Wight.

Charles City

Accomack—

were Referd to the Committee of Propositions and Grievances to Examine the matter and report their Opinion therein to the House.—

M^r Clayton reports from the Committee of Propositions and Grievances That the Said Committee had had under their consideration Several of the matters to them referd And agreed upon a report which he read in his place—and afterwards delivered the Same in at the Table. where it was again read.—

Ordered.

That the Same do lye upon the Table and that it be considered tomorrow—

Adjourned til tomorrow morning Eleven a Clock.

Saturday

Saturday November the 12th 1720

A MESSAGE from the Council That they have agreed to the free Conference desired by this House in the Message to them, and that they have appointed four of their Members who will meet Such persons as this House shall appoint on Wednesday next at One a Clock in the Conference Chamber.—

Ordered

That M^r Clayton, M^r Corbin, M^r Beverley, M^r Burwell, M^r Robinson, M^r Grymes, M^r W^m Randolph and M^r Blair do attend and manage the said Conference.—

Ordered

That the Petition of Sundry Inhabitants of the County of *Effex*, complaining of hardships Imposed on them by the Militia Court be referd to the consideration of the Committee of Elections and Priviledges to Examine the matter and report their Opinion therein to the House.—

M^r Barber has Leave, upon his motion to be absent from the Service of the House til Tuesday Seven night—

Resolved

That this House will resolve it self into a committee of the whole House, further to consider the Govern^rs Speech on *thursday* next.

Then the House proceeded to take into their consideration the report of the Committee of Propositions and Grievances refer'd to be considered this day, and the Same being twice read was agreed to by the House as follows.—

On consideration of the Proposition from *New Kent* County relating to a free School being maintained out of the Publick Bank, and of the proposition from the County of *Princces Ann* That free schools may be erected and maintained in each County and a Competent Maintenance Allowed the Master thereof—

Resolved

That the Same be rejected.—

On consideration of the Proposition from *New Kent* County and the Petition from the County of *Stafford* for giving greater Incouragement for the killing of Wolves.—

Resolved.

That the Reward be augmented to Two hundred pounds of Tobacco for destroying each Wolfe and that a Bill be prepared accordingly

On consideration of the Proposition from *New Kent* County That the Burgeffes and all the Charges of this Affembly be paid out of the Publick Bank of money after the rate of Ten shillings per Cent. for Tobacco And of the Proposition from the County of *Surry* That the Burgeffes may be paid out of the Country Money now in bank.—And also of the Proposition from *Princces Ann*. That the Charge of Affemblys may be defrayed in Some other manner than by a Poll Tax.—

Resolved

That the Burgeffes Salarys and all the Charges of this House be pd. out of the Publick money after the Rate of 10 shill^s 7 Cent for Tobacco—

On consideration of the proposition from *New Kent* County to Prohibite the Indians to hunt on the North Side *James River*

Resolved

That the Same be rejected

On consideration of the proposition from *New Kent* County That an Act may be made for the better payment of Publick Dues and Levys and Small Debts at certain places in each parish—

Resolved

That the Same be rejected.—

On Consideration of the Several Propositions from *New Kent* and *Prince George* Countys relating to Tending of Seconds

Resolved

Resolved

That a Bill be prepared for putting the Law against Tending of Seconds in Execution and for Explaining and amending the said Law.

On consideration of that part of the Proposition from *New Kent* County That the fines arising by Tending of Seconds may be applied to the use of the County—

Resolved

That the Same be rejected

On consideration of that part of the Proposition from the Said County which relates to Selling of Traff and false packed Tobacco—

Resolved

That the Same be rejected being already provided for by Law

On consideration of the Proposition from the Said County praying that an Appeal may be allowed from the Judgment of a Justice of the Peace to the County Court.—

Resolved,

That the Same be rejected.—

On consideration of the proposition from the Said County That persons brought before a Justice of the Peace to answer a Plea of Debt may be obliged to give Special Bail or plead in Custody.—

Resolved.

That the Same be rejected

On consideration of the petition from *Richmond* County praying the Said County may be divided

Resolved

That the Said County be divided by *Charles's Bever* Dams and from the head thereof by a North Course to *Westmorland* County and that a Bill be prepared accordingly.

On consideration of the Proposition from *New Kent* County That their upper Parish of *S^t Paul* may be made a County.—

Resolved

That the Said proposition be agreed to and that a Bill be prepared accordingly.

On consideration of the Several Propositions from *New Kent* and *King William* County. That a ferry may be appointed over *Pamunkey* River from Sweet hall to the mouth of *Tanks Queen* Creek.

Resolved

That a ferry be appointed as proposed, and that the Same be added to the Bill for appointing ferries over *Matapony* and *Pamunkey*

Ordered

That the Com^{tee} of Propositions and Grievances prepare and bring in the Said Bills.—

Mr Clayton reports from the Committee of Propositions and Grievances That the Said Committee had had under their consideration Several matters to them Referred and had agreed upon a report which he read in his place and afterwards delivered the Same in at the table where it was again read.—

Ordered

That the Same do ly on the Table, and that it be considered on *Monday* next.

Adjourned til *Monday* Eleven a Clock in the morning.—

Monday November the 14th 1720.

THE House being informed That the Sherif of *King* and *Queen* attended at the door in Custody of the messenger—He was called in and Amended his Return—at the Barr—

Ordered

That he be discharged out of Custody paying fees.—

A Claim from the County of *New Kent* was wth the Leave of the House presented and Received.

Ordered

Ordered

That the Same be Refer'd to the consideration of the Committee of Publick Claimes to Examine the matter and report their Opinion thereon to the House.—

Then the House proceeded to the consideration of the report of the Committee of Propositions and Grievances referd to be considered this day and the Same was read and is as follows.—

On consideration of the Proposition from *Middlesex* County That the Parish and County Levys may be the better paid and Delinquences prevented.—

Resolved

It is the Opinion of this Committee That the Same be referd to the consideration of the next Session of Affembly.—

On consideration of the proposition from the Said County That a compleat Collection of all the Laws in force may be printed and fit Numbers disperfed in every County.—

The Committee being informed That *John Holloway* and *John Clayton Esq^r* and *William Robertson Gent^e*: have undertaken that work and brought the Same near a Conclusion.—

Resolved

That is it the Opinion of the Committee That the said persons be desired to proceed on the Said work and get the Said Laws printed.

On consideration of the Proposition from *Surry* County That no Member of the House have any place of profit from or by any Act made during the time he is a Member.—

Resolved

That the Same be rejected—

On consideration of the Proposition from the Said County to prohibite the Importation of Negros.

Resolved

That the Same be rejected.

On consideration of the Proposition from the Said County That the Tax which ariseth from the Collecting of Tobacco on the South Side of *Blackwater* Swamp may be abated.

Resolved

That the Same be rejected

On consideration of the Proposition from the Said County That the Law making Negro's Real Estate may be repealed.—

Resolved

That the Same be rejected.—

On consideration of the Proposition from the Said County That a Reward may be given for killing of Crowes and Squirrells

Resolved

That the Same be rejected.—

On consideration of the Proposition from *Princes Ann* County That a more effectual provision be made for Encouragement of the Clergy and regard had to their widdows and Orphans

Resolved

It is the Opinion of the Committee That the Clergy are provided for by Law and that the Said proposition be rejected.—

On consideration of the Proposition from the Said County That Provision be made for Security and defence of the Country.—

Resolved

It is the Opinion of this Committee That the Same is already considered in the answer to the Governours Speech.—

The first Vote being read a Second time was agreed to.

Resolved

That the Said Proposition from *Middlesex* County be referd to the consideration of the next Session of Affembly.—

The Second Vote being read a Second time was agreed to.

Resolved

That Mr. *Holloway*, Mr. *Clayton* and Mr. *Robertson* be desired to proceed in the printing the Said Collection of Laws.—

The third, fourth and fifth Votes being read a Second time were agreed to

Resolved.

That the Said Propositions from the County of *Surry* be rejected.—

The Sixth Vote being read a Second time and the Question being put to agree with the Committee.—

It passed In the negative—

Resolved

That a Bill be prepared to Repeal the Laws making Negro's Real Estate And that it be refer'd to the Committee of Propositions and Grievances.

The Seventh and Eighth Votes being read a Second time were agreed to

Resolved

That the said Propositions, that a Reward be given for killing of Crows and squirrels and for Encouragement of the Clergy &c be rejected—

The ninth Vote being [read] a Second time was agreed to—

Resolved

That the Security and defence of the Country is already considered in the answer to the Governours Speech—

Resolved

That a Bill be prepared for amendment of the Several Laws in force relating to the method of granting and Seating Lands, and that the Same be referd to the Committee of Propositions and grievances.—

A proposition of Sundry persons for amending the breed of Horses was with the Leave of the House presented and read.—

Resolved

That a Bill be prepared according to the said Proposition and that the Same be referd to the Committee of Propositions and Grievances.

Adjourned til Eleven a Clock tomorrow morning.

Tuesday November the 15th 1720

A BILL for Repealing an Act declaring the Negro, Mulatto and Indian Slaves in this Dominion to be Real Estate was read—the first time—

Resolved

That the Bill be read a Second time on *ffryday* next

A Bill for Settling New fferrys over *Pamunkey* and *Matapony* Rivers was read the first time

Resolved

That the Bill be read a Second time

A Bill for dividing *Richmond* County was read the first time

Resolved

That the Bill be read a Second time

A Bill for dividing *New Kent* County was read the first time.

Resolved

That the Bill be read a Second time—

Mr. *Hamlin* produced a Certifycate of his having taken the Oathes appointed by Act of Parliament to be taken instead of the Oathes of Allegiance and Supremacy, the abjuration Oath, the Test and Oath of a Burgefs and took his place.—

A Petition of *Abraham Cocke*, praying to be Enabled to Sell certain Intailed Lands in the County of *Henrico* on his settleing other Lands of greater value in the County of *Prince George* to the Same Uses was read.—

Resolved

That a Committee be appointed to Examine the matter of the Said Petition and report their Opinions therein to the House. And It is referd to M^r *Will^m Randolph* and M^r *Mumford*.—

Ordered

That the Several Accounts of money Expended for repairing the Capitol and building the Governours House, Since the last assembly be laid before this House.—

Resolved

That M^r *Hawkins* have leave to go into the Country.

Ordered

That the Committee of Propositions and Grievances inspect the Law concerning Servants and Slaves and prepare a Bill for the Amendment thereof.—

Adjourned til Eleven a Clock to morrow Morning

Wednesday November 16th 1720.

A PETITION of the principal Inhabitants and freeholders on the West Side *Chicohominy* River in the County of *James City* praying that that part of *James City* may be added to *Charles City*, and that the Same be made One Intire parish was read.—

Ordered

That the Said Petition be referd to the consideration of the Com^{tee} of Propositions and Grievances to Examine the matter and report their Opinions therein to the House.—

Resolved

That M^r *Harrison* have leave to go into the Country for Recovery of his health—

Peter Beverley Esq^r Treasurer of the Dutys on Liquors and Slaves (according to Order) laid his Accounts thereof before the House.—

Ordered

That the Same do lye on the Table.—

M^r *Clayton* reports from the Conference That the Members appointed had attended the Conference and offered proposals on the Subject matter of that part of the Governours Speech which relates to the Security of the frontiers of this Colony and that the Conferees of the Council answered That they desired time to consider the matters mentioned in those proposals and wou'd meet the Conferees of this House in the Conference Chamber tomorrow after prayers.

Ordered

That the Members that managed the last Conference do attend and Manage the free Conference tomorrow.—

Ordered

That M^r *Robinson* and M^r *Blair* do carry up the message to the Council

M^r *Clayton* reports from the Committee of Propositions and Grievances That the Said Committee had had under their consideration Several matters to them refer'd and had agreed upon a report which he read in his place and afterwards delivered the Same in at the Table where it was again twice read and agreed to by the House as followeth

On consideration of the Proposition from *Richmond* County That a ferry be appointed over *Rappahanock* River from Col^o *Robinsons* Quarter to M^r *Micons*—

Resolved

That the Same be rejected

On

On confideration of the Propofition from *New Kent* County That the Two uppermoft Cantons in every ffrontier County may not go out of the parifh any farther than Some convenient place within the Said Cantons.—

Refolved

That the Same be rejected.

On confideration of the Propofition from *Middlefex* County That a Catechift may be provided to Instruct Negroes in the Chriftian Religion.—

Refolved

That the Same be rejected as Impracticable.—

On confideration of the Propofition from the *Ifle of Wight* County. That the Burgeffes County and parifh Dues be paid out of the Money in Bank.

Refolved

That that part of the Propofition relating to the Burgeffes is already answered and that the other part be rejected.—

On confideration of the Propofition from the Said County relating to Entrys and Clearing of Goods to and from *North Carolina*

Refolved.

That the Same be rejected.—

On confideration of the Propofition from *Prince George* County That Negro's may be prevented from meeting in great Company's on *Sondays* and *Holydaies*.

Refolved

That the Same be rejected being already provided for by Law.

On confideration of the Propofition from the faid County relateing to takeing up Lands.

Refolved

That the fame is propofed to be releived by a Bill already ordered to be brought in
M^r *Corbin* reported from the Committee of Elections and Priviledges That the faid Committee had had under their confideration the Return of the Writ for the Election of a Burgefs to Serve in this prefent General Affembly for the County of *Prince George* in the room of M^r *Edward Goodrich* deceafed and were come to a Refolution thereupon which he read in his place and afterwards delivered the Same in at the Table where it was again read. and agreed to by the Houfe as follows.—

Refolved

That M^r *John Hamlin* is duly returned a Burgefs to Serve in this prefent General Affembly for the faid County of *Prince George*

A memorial of the freeholders and Inhabitants of the City of *Williamsburgh* praying That this Houfe will give Such a Sum of money out of the publick Treafury for the Improving the faid City as to them fhall Seem neceffary was read.

Ordered

That the fame do lye on the Table.—

M^r *Willm Randolph* reports That the perfons appointed had (according to Order) Examined the Petition of *Abraham Cocke* and were of Opinion That the Allegations therein were true.

Ordered

That M^r *William Randolph* and M^r *Mumford* prepare and bring in a Bill according to the Prayer of the Said Petition—

A Bill giving a reward for killing of Wolves and repealing all other A^cts relating thereto was read the firft time—

Refolved

That the Bill be read a Second time.

A Bill for dividing *Richmond* County was read the Second time.

A Bill for fetling New fferrys over *Pamunkey* and *Matapony* Rivers was read the Second time—

Refolved

That the faid Bill be ingroffed

Adjourned til Eleven a Clock tomorrow Morning—

Thursday

Thursday November the 17th 1720

CLAIMES from the County of *Norfolk* were with the leave of the House received.—

Ordered

That the same be refer'd to the Consideration of the Committee of Claimes to Examine the matter and report their Opinions therein—to the House.—

Mr. *Corbin* reports from the Committee of Elections and Priviledges That the Said Committee had had under their consideration the petition of Mr. *Joshua Curl* complaining of an undue Election and Return of Mr. *Anthony Armstead* to Serve in this present General Assembly for the County of *Elizabeth City*, and were come to a Resolution thereupon—which he Read in his place and afterwards delivered the Same in at the Table— And the Same was again read and agreed to as follows.—

Resolved

That Mr. *Anthony Armstead* is not duly Elected a Burgess to Serve in this present General Assembly.—

Ordered

That Mr. *Roscow* Mr. *Ricketts* and Mr. *Stith* do attend the Govern^r and desire him to order a new writt to Issue for Electing a Burgess to Serve in this present General Assembly for the County of *Elizabeth City* in the room of Mr. *Anthony Armstead* unduely Elected.—

Mr. *Grymes* having obtained Leave presented to the House a Bill to Explain and amend part of an Act Intituled *an Act for Regulating the Elections of Burgeesses for settling their Priviledges and for ascertaining their Allowances* And the Same was read the first time.—

Ordered

That the Bill be read a Second time.—

A Bill giving a Reward for killing of Wolves and repealing all other Acts relating thereto was read the Second time

Resolved

That the Bill be Ingrossed.

Mr. *Clayton* reports the matter delivered at the free Conference.

Ordered

That the consideration of that report be referd to the Committee of the whole House to which the further consideration of the Govern^r Speech is referd, And that Mr. *Clayton* do present the Same to the Said Committee.

Resolved

That this House will tomorrow Resolve it self into a Committee of the whole House further to consider the Governours Speech.

Adjourned til Eleven a Clock to morrow morning.

Friday November the 18th 1720.

A BILL for dividing the Parish of *Henrico* in the County of *Henrico* was read the first time—

Resolved

That the Bill be read a Second time.—

The House according to order resolved it Self into a Committee of the whole House further to proceed in the consideration of the Govern^r Speech

Mr. *Speaker* left the Chair.

Mr. *Clayton* took the Chair of the Committee

Mr. *Speaker* Resumed the Chair.

Mr. *Clayton* reports from the Said Com^{tee} That they had had under their consideration, the Subject matter of the Conference on that part of the Governours Speech which relates

relates to the Security of the frontiers of this Colony And had agreed upon a report which he read in his place and afterwards delivered the Same in at the Table where it was twice read and with Some amendments agreed to by the House as follows.

Resolved

That it is necessary for the defence and Security of frontiers of this Colony That fforts be built at the Two paffes thro' the Great Ridge of Mountaines. And that the King be addrested to Erect and fournish the said fforts and to Send over under his Majesties pay Two Companys of Soldiers of fifty Men each Exclusive of Officers to Garrison the Same.

Resolved.

That a Bill be prepared for Erecting Two Countys of Narrow Extent the One to be bounded on the North by *Rappahanock* and the other on the South by *Ronoak* Rivers and to Extend Westward to the River on the other side the great Mountaines Including the Said paffes.—

Resolved

That provision be made in the Said Bill That all persons within the Said Countys be Exempt from paying Publick Levys for Ten Yeares and that the Sum of One Thousand pounds be given that is to say five hundred pounds to be laid out in each of the said Countys for Building a Church and Courthouse and that each of the Said Counties be One entire Parish—

Resolved

That his Majesty be addrested to remit his Quit Rents of all Lands within the Bounds of the Said Two Countys for Ten yeares and the money which shall hereafter become due for Rights upon taking up Lands within the Said Countys.—

Resolved

That further Provision be made in the Said Bill for giving the Sum of One Thousand pounds for the Arming Such Christian Tythable persons as shall go and Inhabit within the said Countys hereafter (that is to Say) ffor the ffournishing each man with One Gun a Bayonet a Cartouch Box Eight Pounds of Bullett and Two pounds of Powder.

Ordered

That the Committee of Propositions and Grievances prepare and bring in a Bill according to the said Resolves.—

The Question was put.—

That it be an Instruction to the Said Committee to insert a Clause in the Said Bill, for putting the Said Companys of Soldiers, under the Direction of the Governour and Council of this Colony.—

It passed In the Negative.—

Resolved

That the same be inserted in the Address to his Majesty.—

Resolved.

That this House will to morrow Resolve it self into a Committee of the whole House to proceed further in the consideration of the Governours Speech.—

Mr *Ejcridge* Reports from the Committee of Elections and Priviledges That the said Committee had appointed a Time for the hearing the petition of Mr *John Robinson* Complaining of an undue Election and Return of *Gawin Corbin* Gent. to Serve in this present Assembly. for the County of *Middfex* And (the said *John Robinson* having failed to appear at the day) the Said Committee were come to a Resolution thereupon which he read in his place and afterwards delivered the Same in at the Table where it was again read—and agreed to as followeth.—

Resolved

That the Said Petition be Rejected.—

Resolved.

That the Bill for repealing an Act declaring the Negro Mulatto and Indian Slaves in this Dominion to be Real Estate be read the Second time to Morrow.—

An Ingrossed Bill Intituled *an Act for dividing Richmond County* was read the third time

Resolved

That the Bill do pass.—

Ordered.

That Mr. *Robinson* and Mr. *Woodbridge* do carry the Bill to the Council and desire their Concurrence thereto.—

Adjourned til Eleven a Clock tomorrow morning.

Saturday November the 19th 1720.

A BILL dividing *New Kent County* was read the Second time.

Resolved upon the Question.

That the Bill be Ingrossed.—

A Bill for dividing the Parish of *Henrico* in the County of *Henrico* was read the Second time.

Resolved

That the Bill be Ingrossed.

A Bill intituled *an Act giving a Reward for killing of Wolves and Repealing all other Acts relating thereto* was read the Third time.

Resolved

That the Bill do pass.—

Ordered

That Mr. *Burwell*, Mr. *Boush*, and Mr. *Presly* do carry the Bill to the Council and desire their Concurrence thereto—

A Bill for the more Effectual preventing the Tending of Seconds was read the first time

Resolved

That the Bill be read a Second time.—

Ordered

That Mr. *Grymes* Mr. *Roscow* and Mr. *Jones* Inspect and Examine the Treasurers Accounts and Report their Opinions therein to the House—

A paper Subscribed by Sundry Inhabitants of *King* and *Queen* Complaining of great Damages done by Crows foxes and Squirrels and proposing that Rolling houses be appointed on the Rivers was read.

Ordered.

That the same be referd to the consideration of the Committee of Propositions and Grievances to Examine the matter and report their Opinions therein to the House.

A Petition of *John Tyler* praying an Allowance for his Negro man *Priamus* who had his Right Arm shot of and his other Arm and Several parts of his Body very much Shattered and wounded as he was firing the great Guns the 20th day of *October 1719* being the Anniverfary of his Majesties Coronation was read.

Ordered

That the Same be refer'd to the consideration of the Committee of Claims to Examine the matter and report their Opinions therein to the House.

The petitions of *Chicheley Corbin Thacker* praying to be allowed as usual for the Services by him done in the Secretary's Office and General Court as Clerk thereof and that an allowance be made to the Estate of *William Cocke Esq.* late Secretary for Issuing Two Writs for Election of Burgeffes were read.—

Ordered

That the Same be referd to the consideration of the Committee of Claimes to Examine the matter and report their Opinions therein to the House.

A Proposition of *James Shields* for making alterations in the Publick Goal was read.
Ordered

That the Same be referd to the confideration of the Committee of Propositions and Grievances to Examine the matter and report their Opinions therein to the Houfe.—

Ordered

That the Houfe be called over on *Monday* at Twelve a Clock.

Then the Houfe Refolved it Self into a Committee of the whole Houfe to proceed further in the confideration of the Governours Speech.—

Mr Speaker left the Chair

Mr Clayton took the Chair of the Committee

Mr Speaker Refumed the Chair

Mr Clayton reports from the faid Committee That they had had under their confideration part of the Governours Speech and had agreed upon a report which he read in his place and afterwards delivered the Same in at the Table where it was again read and agreed to by the Houfe as follows.—

Refolved

That the difarmed Condition of the Militia be referd to the confideraçon of the next Seffion of Affembly.

Refolved

That the Inconvenient Length of Some Countys has been already confidered And that the Inconvenience of any other Countys be confidered when the Same fhall be propofed.—

Refolved

That this Houfe will again Refolve it Self into a Committee of the whole houfe on *Monday* next. further to proceed in the Confideration of the Governours Speech.—

A Bill for repealing an Aët declaring the Negro Mulatto and Indian Slaves in this Dominion to be Real Eftate was read the Second time.

Refolved upon the Queftion.

That the Bill be Rejected.—

Refolved

That *Mr Clayton* and *Mr Blair* have Leave to bring in a Bill for Remediying the Inconvenient Length of the Countys of *New Kent James City* and *York*.—

Adjourned til *Monday* Eleven a Clock in the morning.—

Monday November 21st 1720.

A BILL to Explain and amend part of an Aët Intituled *an Aët for regulating the Elections of Burgeffes for Selling their Priviledges and for afcertaining their Allowances* was read the Second time—

Refolved

That the faid Bill be committed to the Committee of Propositions and Grievances for Amendments.—

Mr Clayton laid his Accounts of money received for Lots in the City of *Williamsburgh*, and difburefments in repairing the Capitoll.

Ordered.

That *Mr Grymes*, *Mr Roscow* and *Mr Jones* infpect and Examine the Said Accounts, and report their Opinions therein to the Houfe—

Several Claimes from the County of *Ifle of Wight* were with the Leave of the Houfe received.

Ordered

That the Same be referd to the Committee of Claimes to Examine the matter and report the fame with their Opinions therein to the Houfe.

A Bill to Enable *Abraham Cock* to Sell certain Intailed Lands and for fetling other Lands to the Same uses was read the first time—

Resolved

That the Bill be read a Second time

The House according to Order was called over.

Resolved

That the absent Members be Excused.

A Bill intituled *an Act for dividing New Kent County* was read the third time And an amendment was made therein—

Resolved

That the Bill with the Amendment do pass.—

A Bill intituled *an Act for dividing the Parish of Henrico in the County of Henrico* was read the Third time.

Resolved

That the Bill do pass.

A Bill intituled *an Act for settling New fferrys over Pamunkey and Matapony Rivers* was read the third time—

Resolved

That the Bill do pass—

Ordered

That the Committee of Propositions and Grievances do carrye up the Bills to the Council and desire their Concurrence thereto

Ordered

That the memorial of the freeholders and Inhabitants of the City of *Williamsburgh* be refer'd to the Committee of Propositions and Grievances to Examine the matter and report the Same with their Opinions therein to the House.

Then the House according to Order Resolved it Self into a Committee of the whole House further to proceed in the consideration of the Governours Speech.

M^r. *Speaker* left the Chair

M^r. *Clayton* took the Chair of the Com^{tee}

M^r. *Speaker* resumed the Chair

M^r. *Clayton* reports from the Said Com^{tee} That they had had under their Consideration that part of the Governours Speech relating to Treaties with the five Nations of Northern Indians Together with the Sentiments of the Lords Commiff^{rs} for Trade and Plantations thereupon and that they had likewise considered the Governours written Message to this House with his Letter to Col^o. *Schyler* and the Preliminary Articles therein mentioned. And had agreed upon a report which he read in his place, and afterwards delivered the Same in at the Table where the Same was again twice read and agreed to by the House and it is as follows.

Resolved

That it is absolutely necessary That the Preliminary Articles mentioned in the Governours written Message be conceded by the Indians of the five Nations to the Government of *Virginia* before any formal Treaty for renewing the Covenant Chain.

Resolved

That the Govern^r be not advised or Enabled to Send Commiff^{rs} to Treat with the Said five Nations at *Albany*. before they or the Government of *New York* shall return Some Satisfactory Answer to those Preliminaries.

Resolved

That an address be prepared to the Governour in answer to So much of his Speech as relates to the Treatys with the five Nations of Northern Indians, and that the Council be desired to Concur in the Same.

Resolved

That a free Conference be desired with the Conferees of the Council on the Subject matter of the last Conferences tomorrow at One a Clock And that M^r. *Grymes*, M^r. *Johnjon*, and M^r. *Teackle* do go up with the Message to the Council.—

Ordered

Ordered

That the members that managed the laft free Conference do attend and manage this free Conference—

Adjourned til to morrow Eleven a Clock in the Morning.

Tuesday November the 22^d 1720

A MESSAGE from the Council, That they had agreed to meet this Houfe at a free Conference in the Conference Chamber.—

M^r. *Clayton* laid before the Houfe Several Accounts of the Difbursements in the building the Governours Houfe, the Church Magazine and Prifon—

Ordered

That the Said Accounts be referd to M^r. *Grymes*, M^r. *Rofcow*, and M^r. *Jones*, to Infpect and Examine the Same and report their Opinions therein to the Houfe.—

M^r. *Corbin* reports from the Committee of Elections and Privileges that they had had under their Confideration the Petition of M^r. *John Bolling* Complaining of an undue Election of M^r. *Thomas Randolph* to Serve in this Prefent General Affembly for the County of *Henrico* and had agreed upon a report which he read in his place and afterwards delivered the Same in at the Table where the Same was again read. and with an Amendment agreed to by the Houfe as follows.—

Resolved

That the Said M^r. *Bolling* hath failed to prove his Said Complaint or any part thereof And that the Same is frivolous and Scandalous—

Resolved

That the Said Petition be Rejected.—

A Bill to Enable *Abraham Cocke* to Sell Certain Intailed Lands and for Setling other Lands to the Same Ufes, was read the Second time.

Resolved

That the Bill be Ingrossed—

A Bill for the more effectual preventing the Tending of Seconds was read the Second time.—

Resolved

That the Bill be Ingrossed—

A Petition of *Chicheley Corbin Thacker* praying an Allowance for making out Eight hundred and fifty Commiffions for the Militia of this Country and Twenty of the Governours L^res of Directions to the County Lieutenants for regulating the Militia was read—

Resolved upon the Question—

That the Said Petition be rejected—

Resolved

That M^r. *Willis* have Leave to be abfent from the Service of the Houfe til *Munday* next.—

M^r. *Clayton* reports from the Conference That the Members appointed had attended the Conference, and communicated to the Conferees of the Council, the Refolves of this Houfe relating to the frontiers And that they answered they would report the Same to the Council and Send their Anfwer to this Houfe.—

Adjourned til to morrow Eleven a Clock in the Morning.—

Wednesday November the 23^d 1720.

MR *Lear* produced a Certifycate of his having taken the Oathes appointed by Act of Parliament to be taken inftead of the Oathes of Allegiance, Supremacy, the abjuration Oath, The Teft and Oath of a Burgefs and took his place—

A Bill intituled *an Act to Enable Abraham Cock to Sell certain Intailed Lands and for Settling other Lands to the Same ufes.* was read the third time—

Resolved

Resolved

That the Bill do pass—

A Bill intituled *an act for the more effectual preventing the tending of Seconds* was read the third time—

Resolved

That the Bill do pass.

Ordered

That the Committee of Propositions and Grievances carry the Bill to the Council and desire their Concurrence thereto—

A Proposition of *John Holt* for keeping the ferry at *Hog Island* and building a bridge over the Creek which divides the Same from the Main was read.—

Ordered

That the Same be refer'd to the Committee of Propositions and Grievances to Examine the matter and report their Opinions therein to the House.

Mr. Clayton reports from the Committee of Propositions and Grievances That they had had under their Consideration Several of the matters to them refer'd and had agreed upon a report which he read in his place and afterwards delivered the Same in at the Table where it was again read and upon the Question agreed to and is as follows.—

On consideration of the Propositions from *Prince George County* That the Parish of *Martin Brandon* and the parts of the Several Parishes of *Weynoak Westopher* and *Bristol* which lye in the aforesaid County of *Prince George* may be dissolved and made Two Parishes.

Resolved

That that part of *Westopher* and *Weynoak* parishes which lye on the South Side of *James River* and *Martin Brandon* parish be One intire Parish and that a Chappel be built in *Bristol* Parish on *Stony Creek* near *Joshua Wynns* plantation and that a Bill be prepared accordingly.—

On consideration of the Proposition from *Charles City County* That that part of *James City County* which lyeth on the West Side of *Chicohominy River* may be added to *Charles City County* and that the Said River may be the Bounds of the County, As also of the Petition of the Principal Inhabitants and freeholders of *James City County* on the West Side of the Said River praying they may be added to *Charles City County* and that the Said County of *Charles City* may be One intire Parish.—

Resolved

That that part of *Westopher* and *Weynoak* Parishes lying on the North side of *James River* and that part of *Wallingford* Parish above *Chicohominy River* be our [one] Intire Parish and that that part of the Proposition which relates to the County is reasonable And that a Bill be prepared accordingly.—

On consideration of the Several Petitions from the Upper Inhabitants of *Effex* and Sundry Inhabitants of *King* and *Queen* Countys praying That a convenient County may be cut off from the heads of *Effex*, *King* and *Queen* and *King William* Countys and that the Lower parts of the Said Three Countys may contribute towards the Publick buildings which must be Erected

Resolved

That the Same have been considered in the answer to the Governours Speech.

Ordered

That the Members for *Prince George* and *Charles City* Countys do prepare and bring in a Bill for making that part of *Westopher* and *Weynoak* parishes which ly on the South Side of *James River* and *Martins Brandons* parish One intire parish and for building a Chappell in *Bristoll* parish as aforesaid.—

Ordered

That the Members for *Charles City* and *James City* Countys prepare and bring in a Bill for adding that part of *James City County* which lyeth above *Chicohominy River* to *Charles City County* and for making that part of *Westopher* and *Weynoak* Parishes which

which lyes on the North side *James River* and that part of *Wallingford* parish which lyeth above *Chicohominy River* One intire parish—

Severall Claimes from *Nanfemond* were by Leave of the House received.

Ordered

That the same be refer'd to the Consideration of the Committee of Claimes to Examine the matter and report the Same with their Opinions therein to the House.

Resolved upon the Question

That a Committee be appointed to attend the Governour and desire him to Communicate to them what he thinks proper to be done for the finishing the Governours House Gardens and other works which he is Impowered by Law to finish and to view all the Improvements that have been made Since *Christmas 1717* in the Gardens for the Ornament and preservation thereof and to compute the Charge of the whole and report their Opinions therein to the House; and is it referd to the Committee of Propositions and Grievances

A Message from the Council That they desire a free Conference with this House on the Subject matter of the last Conference

Resolved

That the House doth agree to meet the Council at a present free Conference in the Conference Chamber.

Ordered

That the Members that managed the last free Conference attend and manage this free Conference.—

Mr. Clayton reports That the Members appointed had attended the Conference and that what the Conferees of the Council delivered was to the Effect following.—

That the Council agree That the Resolves Communicated are proper heads, both for the Address and the Bill

That more proper Bounds may be found for the Southern County Such as were Shewed Yesterday at the Conference which are referd to be considered by the Burgeses when the Bill shall be prepared.—

That the Parish of *St. George* being Erected in the Northern County by Law the Same be dissolved Seing the like priviledges as were granted to that parish are now given to the whole County.

That the Council will Join with the Burgeses Address to the King and have appointed Two of their Members to Joyn with Such as the Burgeses shall name to prepare the Said Address.—

Resolved

That a Committee be appointed to Joyn with a Committee of the Council in preparing an Address to the King of the Members following

Mr. Clayton—

Mr. W^m. Randolph

Mr. Grymes

Mr. Burwell.

Resolved

That it be an Instruction to the Com^{tee} that prepares the Bill for Erecting the Two New Counties that provision be made for confining the Soldiers intended to Garrison the fforts within Certain Limits.—

Adjourned til Eleven a Clock to morrow Morning

Thursday November the 24th 1720

M*R Clayton* reports from the Committee appointed to prepare Journals of the last Session of the last Assembly and to prepare and draw up a State of the matters then depending and undetermined, That the Committee had agreed upon a report which he read in his place and afterwards delivered the same in at the Table where it was again read and is as followeth—

Pursuant to the Order of the House. We having inspected the Journal of the last Session of Assembly.—

Do

Do find the Petitions of the upper and Lower Inhabitants of the Parish of *S^t. John* in the County of *King William* for dividing the Said Parish were referd to the consideration of this Assembly.

We also find the proposition from *Northampton* County relating to the printing the Laws of this Country and Exposing the Same to Sale in every County was referd to the consideration of this Assembly.

As also the Petition of *Thomas Jones* in behalf of himself and other Members of the late *Virginia* Indian Company was refer'd to the consideration of this Assembly.—

As also the Memorial of *John Broadnax* was referd to the consideration of the Assembly.—

Resolved

That the Members for the County of *King William* have leave to bring in a bill for dividing the Parish of *S^t. John* in the said County.

Ordered

That the said Petition of *Thomas Jones* be referd to the consideration of the Committee of Claimes to Examine the matter and report the Same with their Opinions therein to the House—

Ordered

That the Said Memorial of *John Broadnax* be referd to the consideration of the Committee of Propositions and Grievances to bring in a Bill according to the Proposals therein contained if they think the Same necessary.—

M^r. Clayton further reports from the Committee of propositions and Grievances That they had had under their consideration Several matters to them referd and had agreed upon a report which he read and afterwards delivered the Same in at the table where it was again read and is as follows.—

Upon the consideration of the Petition of the Upper Inhabitants of *Accomack* County praying that a Church may be built convenient to the Center of the Said County and not as directed by the Vestry and that the Minister may be obliged to preach at the Churches only and not at the Courthouse—

Resolved

That a Church be built upon *Long Love* Branch near *John Taylors* plantation and a bill be prepared accordingly—

Upon consideration of the Petition of *James Shields* praying That the publick Goal for Criminals in *Williamsburgh* may be made more Comodious and a house built adjoining to the Same for the Keeper thereof.—

Resolved

That the Same be rejected.—

On consideration of the Grievance from *King* and *Queen* County relating to Squirrels foxes and Crows.

Resolved

That the Same be rejected.

On consideration of the Proposition from the Said County That Rolling houses may be appointed on the Rivers.

Resolved

That the Same be rejected Sufficient Provision being already made by Law.

On consideration of the Proposition from *New Kent* County That Rangers may be appointed in every frontier County.

Resolved

That the Same be rejected.—

On consideration of the Proposition from the Said County That Guns and Swords may be provided for the poorer Sort of the People who are not able to purchase the Same.—

Resolved

That the same be considered next Session of Assembly with the Govern^rs Speech relating to the Disarmed Condition of the Militia.—

On confideration of the Proposition from the Said County That Lewd Women bringing Baftards may be punifhed.—

Resolved

That the Same be rejected.—

The firft Refolve was read a Second time and agreed to.

Resolved

That the members for *Accomack* have leave to bring in a Bill for Building a Church upon *Long Love* Branch as aforefaid.—

The Second and third Refolves were read the Second time and Severally agreed to—

Resolved

That the Petition of *James Shield* and the Grievance from *King* and *Queen* above mentioned be rejected.—

The fourth Refolve being read a Second time & the Queftion being put to agree with the Committee.

It paffed In the Negative—

Ordered

That M^r. *Beverley*, M^r. *Braxton* and M^r. *Waller* do prepare and bring in a Bill for Explaining and Amending the Law. relating to Rolling Houfes.

The fifth and Sixth Refolves were again read and Severally agreed to.—

Resolved

That the Propofitions from *New Kent* That Rangers be appointed in every frontier County be rejected

Resolved

That the Propofition from the Said County That Guns and Swords may be provided for the poorer Sort of People be referd to the confideration of the next Seflion of Affembly.

The Seventh Refolve was again read and agreed to with an Amendment

Resolved.

That the Propofition from the Said County That Lewd women bringing Baftards may be punifhed, be rejected the Same being provided for by Law.—

Resolved upon a Motion—

That the Members for the County of *Northampton* have leave to bring in a Bill for altering the day for holding a Court in the Said County.—

Resolved

That M^r. *Waller* have Leave to go into the Country upon Extraordinary Bufinefs.

Resolved—

That a Committee be appointed to confider what fees fhall be allowed to the Officers of the Houfe of Burgeffs for the Extraordinary bufinefs by them performed and report the Same to the Houfe and It is refer'd to the Committee of Claimes.

A written Meffage from the Governour was delivered by M^r. *Robertfon*—

M^r. Speaker and Gentl'men of the Houfe of Burgeffes.

I Send you a Petition which I lately received containing Some Propofals for Building and keeping a Lighthouse at Cape *Henry* and at the Same time I inform you that application hath heretofore been made by fome confiderable perfons in the Government of *Maryland* To the end the Affemblies of both Colonys might be moved to Concur in the like Defign wherefore if you think fit to come into any meafures for that purpofe with a Provifo That *Maryland* perform their part I fhall readily hand to the Governour of that Province your refolutions on that head.—

November the 24. 1720.

A. Spotfwood.

Resolved

That this Houfe will on *Wednesday* next Refolve it Self into a Com^{tee} of the whole Houfe to confider the Said Meffage.—

A Meffage from the Council That they had agreed to the Bill Entituled *an Act for dividing Richmond County with an amendment* To which they defire the Concurrence of this Houfe

The Said Amendment being thrice read was agreed to.—

Resolved

That a Message be Sent to the Council to acquaint them That this House has agreed to the amendment made by them to the Bill for Dividing *Richmond* County and that M^r *Robinson* go up with the Message.—

M^r *Speaker* complained to the House That Two daies agoe M^r *Phil^p Lightfoot* at the Door of the House of Burgesses gave him very affronting Language and accused him of betraying his County.—

Ordered

That M^r *Philip Lightfoot* be Sent for in Custody of the messinger attending this House to answer at the Barr of this House the Said Affront offered to M^r *Speaker*.—

Resolved

That a Message be Sent to the Council That this House has appointed a Committee to Joyn with the Committee of the Council in preparing an Address to the King.

Ordered

That the Committee of Propositions and Grievances do Carry the Resolve of this House for paying the Burgesses and Charges of this Assembly in Money at the rate of Ten shillings a hundred for Tobacco to the Govern^r and Council and desire their Concurrence thereto.—

A petition of the upper Inhabitants of S^t *Pauls* Parish in the County of *New Kent* praying to be divided from the said parish was read—

Ordered

That the Same do lye on the Table—

Adjourned til Eleven a Clock tomorrow Morning.

Fryday November the 25th 1720.

A BILL to divide those parts of the parishes of *Westopher* and *Weynoak* which lye on the South Side of *James* River from those parts of the Said parishes which lye on the North side the Said River and for uniting *Westopher* and *Weynoak* Parishes on the South side *James* River to *Martin Brandon* Parish in the County of *Prince George* and for Erecting a Chappell in *Bristol* Parish in the Said County was read the first time.—

Resolved

That the Bill be read a Second time.—

Resolved

That M^r *Mumford* have leave to be absent from the Service of the House til *Wednesday* next.—

M^r *Corbin* reports from the Committee of Elections and Priviledges That they had had under their consideration the Petition of M^r *Daniel M^cCarty* complaining of an undue Election of M^r *Thomas Lee* to Serve in this present Assembly for the County of *Westmorland* and had appointed a Day for hearing the Same which being past and M^r *Mac Carty* desiring a further time might be appointed for the hearing his Said Complaint The Said Committee had thereupon appointed *Wednesday* next being the Thirtieth day of *November*.

And after a long Debate, the Question was put

That the report of the Said Committee be agreed to—

Resolved

In the Affirmative—

M^r *Corbin* further reports from the Said Committee That they had had under their Consideration the Petition of M^r *Charles Grymes* Complaining of an undue Election of M^r *Charles Barber* to Serve in this present Assembly for the County of *Richmond* and had appointed a Day for hearing the Same which being past And the Petitioner not appearing

to

to prove the matter of his Complaint the Said Committee were come to a Resolution which he read in his place and afterwards delivered the Same in at the Table where the Same was again read and agreed to with an Amendment and is as follows—

Resolved

That the Said Petition is vexatious and Scandalous and that the same be rejected.—
Adjourned til Eleven a Clock tomorrow morning.

Saturday November the 20th [26th] 1720.

O*RD**ERED*

That Mr. Bridger, Mr. Esfridge, and Mr. W^m Ball have Leave to be absent from the Service of the House til Tuesday next.—

A Message from the Council That they have agreed to the Bill intituled *an Act for dividing New Kent County* and also to the Bill intituled *an Act to Enable Abraham Cook to Sell certain Intailed Lands and for Selling other lands to the Same uses* That they propose Several amendments to the Bill intituled *an Act giving a Reward for killing of Wolves and repealing all other Acts relating thereto*—And to the Bill Entituled *an Act for the more Effectual preventing the Tending of Seconds*—And also to the Bill Entituled *an Act for Selling New fferrys over Pamunkey and Matapany Rivers* to which they desire the Concurrence of this House.—

And the amendments proposed to the Bill intituled *an Act giving a Reward for killing of Wolves and the Repealing all other Acts, relating thereto* And also to the Bill intituled *an Act for the more Effectual preventing the Tending of Seconds* being read Three times were Severally agreed to—

Resolved

That this House will on Monday next consider the Amendments proposed by the Council to the Bill intituled *an Act for Selling New fferrys over Pamunkey and Mattapany Rivers.*

Mr. Armstead produced a Certifycate of his having taken the Oathes appointed by Act of Parliament to be taken instead of the Oathes of Allegiance and Supremacy, the Abjuration Oath, the Test and Oath of a Burgefs and took his place.—

A Bill for Explaining and amending an Act Entituled *an Act for appointing Rolling Houses and Publick Landings and ascertaining the Prices of Storeage* was read the first time.

Resolved

That the Bill be read a Second time—

A Bill to divide those parts of the Parishes of *Westopher* and *Weynoak* which lye on the South Side of *James River* from those parts of the Said Parishes which lye on the North Side the Said River and for uniting *Westopher* and *Weynoak* Parishes on the South side *James River* to *Martin Brandon* Parish in the County of *Prince George* and for Erecting a Chappel in *Bristol* Parish in the Said County was read the Second time.—

Resolved

That the Bill be Ingrossed.—

Mr. Clayton reports from the Committee of Propositions and Grievances That they had had under their consideration Several matters to them refer'd and had agreed upon a report which he read in his place and afterwards delivered the Same in at the Table where it was again read.

Ordered

That the Said Report do ly on the Table.

The House being informed That Mr. Phil^p Lightfoot attended at the Door in Custody.

After a Debate The Question was put

That Mr. Phil^p Lightfoot be called in

Resolved

In the affirmative—

And

And he being called in, M^r. *Speaker* by direction of the House Spoke to him in these words.—

M^r. *Philip Lightfoot*

You are accused That on *Tuesday* the 22^d of this month you did in a rude and Insolent manner give very affronting Language to the Speaker of this House and did accuse him of betraying his County and that this hapned upon Discourse of Some matters that were then depending before this Assembly and this was at the door of the House.—

To which M^r. *Lightfoot* answered in these words—

M^r. *Speaker*

In Obedience to an order of this House I attend at your Barr in Custody to answer an affront offered to you at the door of the House of Burgeses.—

It hapned M^r. *Speaker* That I was on *Tuesday* laft in the Piazza of the Capitol and a Discourse was then moved about a Division of *York County* (of which I am an Inhabitant) And I think among others M^r. *Speaker* You your Self Spoke Somewhat in favour of Such Division—

As I remember a Petition Subscribed by many of the Gent^ls of *York County* againft this Project was mentioned And you answered That you had Seen it and could See nothing in it upon this I believe I did ask you if you would betray Your County and if these words were delivered with Overmuch Earnestnefs (fo as to be construed contrary to my Intentions) I cannot but be Sorry for it.

You know very well M^r. *Speaker* how a man is to be Construed in other places, his words are to be taken in the most mild Sence and I hope it will not be difficult in this Cafe to construe what I Said to you as a Representative of my County as hinting to you the Interest of the people rather than affronting you. And accuseing you of not doing your duty in this house and indeed I did hope M^r. *Speaker* That the very great respect I have Shewn you in your private Capacity might have defended me from a Resentment on Account of private Conversation and Argument And I am Sure the Regard I shall ever have to this House and the Members of it is too Sacred to Suffer me wittingly to affront them on Account of their Duty.

And then withdrew

Ordered

That M^r. *Philip Lightfoot* do remain in Custody of the Messenger til *Wednesday* next and that he then attend at the Barr of the House further to answer the Speakers Complaint.

Adjourned til Eleven a Clock *Monday* Morning.

Monday November the 28th 1720.

THE House proceeded to take into their Consideration the Amendments proposed by the Council to the Bill intituled *an Act for the more Effectual preventing the Tending of Seconds* and the Said Amendments were read and agreed to.—

A Bill for amending the breed of Horses was read the first time.—

Resolved

That the Bill be read a Second time—

Then the House proceeded to the consideration of the Report of the Committee of Propositions and Grievances made on *Saturday* laft and the Same was read and agreed to by the House as follows—

On consideration of the Petition of *John Holt* relating to the fferry on *Hogg Island* and building a Bridge over the Creek which parts the Said Island from the Main.—

Resolved—

That a fferry be appointed and kept from M^r. *Higgenfons* on *James River* to *Hogg Island* and that the fferriage over the Same shall be One Shilling for a man and One shilling

shilling for a Horse and that the Court for the County of *Surry* build a Bridge according to Law over the Creek parting the Said Island from the Main and order a Road to be laid out to *Hogg Island* ferry Point.

And that if the Said *John Holt* present Owner of the Said Island shall refuse to keep ferry there according to Law That it shall be Lawfull for the Court of the Said County to lay of and Value Three Acres of his land and Marsh the most convenient for the use of Such person as shall keep ferry there who shall pay the Said *Holt* for the Same and that a Bill be prepared accordingly.

On consideration of the Petition of the Inhabitants of the City of *Williamsburgh* complaining of the Irregularitys of their principal Street and of the want of a Market house and the Inconveniency of the Publick Landings and representing That the Cheif Church of this Colony wants Some necessary ornaments and praying for a Supply out of the Publick Treasury for those Uses.—

Resolved

That the Sum of One hundred and fifty pounds be given towards making Bridges and Causeways in the Main street and that the Money be paid to M^r. *Speaker*, M^r. *Clayton* and *Archibald Blair* who shall See the Same applyed and Account to the Assembly for the Same, and that the other matters in the Said Petition be rejected.—

Ordered—

That the Committee of Propositions and Grievances prepare and bring in a Bill according to the first Resolve.—

Ordered

That the Committee of Propositions and Grievances do carry the Second Resolve to the Governour and Council and desire their Concurrence thereto—

Resolved

That a Message be Sent to the Council That this House hath agreed to the Amendments proposed by them to the Several Bills mentioned in their Message of *Saturday* last And that the Com^{tee} of Propositions and Grievances do go up with the Message.—

A Bill Entituled *an Act to divide those parts of the Parishes of Westopher and Weynoak which ly on the South side of James River from those parts of the Said Parishes which lye on the North side the Said River and for Uniting Westopher and Weynoak Parishes on the South side James River to Martin Brandon Parish in the County of Prince George and for Erecting a Chappell in Bristoll parish in the Said County* was read the Third time

Resolved

That the Bill do pass.—

Ordered

That M^r. *Hamlin* do Carry the Bill to the Council and desire their Concurrence thereto—

A Bill for Explaining and amending an Act Entituled *an Act for appointing Rolling houses and Publick Landings and Ascertaining the prices of Storage* was read the Second time

Resolved

That the Bill be Ingrossed

Adjourned til tomorrow Morning Eleven a Clock.

Tuesday November 29th 1720.

A WRITTEN Message from the Governo^r. was delivered by M^r. *Robertson*.
M^r. *Speaker* and Gentl^{en}.
of the House of Burgeesses.

In answer to your Message desiring me to Communicate to your Committee what I think proper to be done for finishing the Governo^r.s House Gardens and other works which I am Impowd [Impowered] by Law to finish, I take Occasion to remind you how I became Vested with that Power and what has followed thereupon—

You

You may observe by the Journal of your House in the year 1713 as well as by a Law passed the Same Session That I was desired by the Burgeffes to take upon me the Care of carrying on and finishing the Said works: In Compliance with their Request and in order to Save to the publick the annual Expence of One hundred pounds which had been paid to an Overseer for Eight years before (even during the time when the Building was entirely at a Stand) I did undertake the Trouble of providing Workmen Labourers and Materials and of directing and Inspecting their work but I made it an Express Condition that other persons should have the Charge of the Accounts— However being obliged to Advance my own money to pay the Workmen by reason of the deficiency of the Revenue at that time I was drawn in to take Minutes of Disbursements and to keep Vouchers of the greatest part of the Accounts, So that the Two Gentl'm: who were appointed for that purpose could not when called upon by the Assembly make up the Account of the Buildings without my assistance.

This has given me a greater Trouble than I ever intended to take upon me: and as my Concern in the works has not only induced me to furnish whatever belonged to me below other Peoples Rates; but also led me into generous Gifts of Several particulars So it is obvious that I must be a Loofer If I have not been carefully Exact to take and keep a Receipt for every payment that I have made Seeing almost every Article of the Accounts now laid before you has been drawn from the Vouchers I produce.—

Whereupon you'll Excuse me if I decline all future Concern in these works and whoever you are pleased to appoint to Overseer them may inform you what Stil remains to be done As he or they may likewise have in Charge if you think fit to get justly computed and valued the works of the Gardens that are left unrated, Especially Since it Seems to be too Troublesome an Affair for your Committee to Set about the Computation thereof And that I am loath to offer any Valuation of my own Gardiners and Servants performances

November the 28th 1720.

A. Spotjwood

Resolved

That the said Message be considered tomorrow

Mr. Clayton reports from the Committee of Propositions and Grievances to whom the Bill to Explain and amend part of an Act Intituled *an Act for regulating the Elections of Burgeffs: for settling their Priviledges and for ascertaining their Allowances* was committed Several amendments made to the Bill which he read in his place and afterwards delivered the Same in at the Table where the Same were Twice read and upon the Question agreed to with an Amendment

Resolved

That the Bill with the Amendments agreed to be Ingrossed

A Bill for altering the day for Northampton County Court was read the first time—

Resolved

That the Bill be read a Second time—

A Bill for remedying the Inconvenient Length of *New Kent James City* and *York Countys* was read the first time

After a Debate

The Question was put,

That the Bill be read a Second time

It passed In the Negative

Resolved

That the Bill be rejected.

A Bill for Enlarging *Charles City* County and consolidating those parts of the Parishes of *Westopher* and *Waynoak* on the North Side *James River* and that part of *Wallingford* Parish on the West Side *Chicohominy River* was read the first time—

Resolved

That the Bill be read a Second time—

A Petition of Sundry of the Inhabitants of *James City County* Setting forth reasons against the said Bill was read.

Ordered

That the same do lye on the Table and that the Same be considered with the Second reading of the Bill—

Adjourned til Eleven a Clock tomorrow Morning.

Wednesday November the 30th 1720

A BILL intituled *an Act for Explaining and Amending an Act for appointing Rolling houses and publick Landings and ascertaining the prices of Storage* was read the third time.

Resolved

That the Bill do pass.

Ordered

That the Committee of Propositions and Grievances carry the Bill to the Council and desire their Concurrence thereto—

A Bill Entituled *a Act to Explain and amend part of an Act Entitled an Act for regulating the Elections of Burgeffes for Selling their priviledges and for ascertaining their Allowances* was read the Third time—

Resolved

That the Bill do pass.

Ordered

That the Committee of Propositions and Grievances carrye the Bill to the Council and desire their Concurrence thereto—

A Bill for Enlarging *Charles City County* and for Consolidating those parts of the Pairshes of *Westopher* and *Weynoak* on the North side *James river* and that part of *Wallingford Parish* on the West side of *Chicohominy River* was read the Second time.

A Petition of Sundry Inhabitants of *James City County* was likewise read

Resolved upon the Question—

That the Bill be Ingrossed.

M^r *Clayton* reports from the Committee of Propositions and Grievances That they had had under their consideration the memorial of *John Broadnax* and had agreed upon a Vote which he read in his place and afterwards delivered the Same in at the Table where the Same was again read and agreed to with an Amendment and is as follows.—

Resolved

That the matters in the Said Memorial require Remedy and that the Same be provided for in the Bill ordered to be prepared to amend the Act concerning Servants and Slaves.

Resolved That the House will on *fryday* next consider the Governours written Message of Yesterday.

Ordered

That the matter of M^r *Speakers* Complaint against M^r *Philip Lightfoot* be referd to the consideration of the Committee of Elections and Priviledges to Examine the Same and report their Opinions therein to the House—and that the Said Committee Sit for that Purpose tomorrow Morning.—

Ordered

That M^r *Lightfoot* stil remain in Custody of the Messenger

Several Claimes from the County of *Isle of Wight* were with the Leave of the House received

Ordered

That the same be refer'd to the consideration of the Committee of Claimes to Examine the matter and report their Opinions therein to the House.

A Message from the Council That they have had under Consideration the Resolves of this House of the 21st Instant relating to renewing the Treatys with the Indians of the five Nations and do Concur with the House therein

And have also agreed to join in an Address to the Governour on the Subject matter of the Said Resolves and have appointed Two of their Number to Joyn with Such Members as this House shall think fit to nominate to prepare the Said Address.—

Ordered

That the Governours written Message of the 24th of *November* be considered to morrow in a Committee of the whole House.—

Resolved

That a Committee be appointed to Join with a Com^{tee} of the Council in preparing an Address to the Governour—of the Members following.—

Mr. Corbin

Mr. Robinson

Mr. Beverley

Mr. Merewether

Adjourned til Eleven a Clock to morrow morning.

Thursday December the 1st 1720

A BILL for dividing St. Johns Parish in the County of *King William* was read the first time.

Resolved

That the Bill be read a Second time—

Ordered

That the Clerk of this House have leave to argue the matter of the Election for the County of *Westmorland* before the Committee of Elections and Priviledges as Council for Mr. Lee the Sitting Member—

Ordered

That the Governours Message of the 24th of *November* be considered tomorrow in a Committee of the whole House.—

Adjourned til Eleven a Clock tomorrow Morning

Friday December the 2^d 1720

A BILL for amending the Breed of Horses was read the Second time

Resolved

That the Bill be committed to Mr. Symmons and Mr. Bridger

Mr. Corbin reports from the Committee of Elections and Priviledges That they had had under their consideration the matter of Mr. Speakers Complaint against Mr. Philip Lightfoot and had come to a Resolution thereupon which he read in his place and afterwards delivered the Same in at the Table where it was again read and is as follows.—

Resolved

That It is the Unanimous Opinion of this Committee That *Philip Lightfoot* Gent. is guilty of Breach of the Priviledges of this House by Insulting their Speaker at the door of the House of Burgesses in a haughty manner—uttering indecent and reproachfull Language to to him and this without any Previous discourse with him which is Submitted to the consideration of the House.

The Question was put

That the report of the Committee be agreed to

The House Divided

Yeas.....41

Noes.....7

Resolved

Resolved

That *Philip Lightfoot* Gent. is guilty of Breach of the Priviledges of this House by insulting their Speaker at the door of the house of Burgeffes in a haughty manner uttering indecent and reproachfull Language to him And this without any previous Discourse with him.—

Resolved

That the Said *Philip Lightfoot* Gent: for his Said Offence doth Justly deserve the Censure of this House—

And he was called into the Bar and M^r *Speaker* acquainted him with the resolutions of the House and That they Expected he should make an acknowledgment of his Offence in Such words as were drawn up in writing by their Direction and Should be delivered him.—

And the same was delivered and he read as follows.—

M^r Speaker

I am Sensible of my great Indiscretion in the affront I offered to you the 22^d of *November* last at the Door of this House by uttering in a haughty manner indecent and reproachfull Language to you—I am heartily Sorry that I have committed this Offence and do sincerely beg pardon of every Member of this House and of you M^r *Speaker* in particular

Ordered That

M^r *Philip Lightfoot* be discharged out of Custody of the Messenger paying his fees.—

M^r *Corbin* further reports from the Committee of Elections and Priviledges That they had had under their consideration the Return of the Writ of the Election of a Burgefs to Serve in this present General Affembly for the County of *Elizabeth City* and had come to a Resolution thereupon which he read in his place and afterwards delivered the Same in at the Table where it was again read and agreed to and is as follows.—

Resolved

That M^r *Anthony Armistead* is duly returned a Burgefs to Serve in this present General Affembly for the said County of *Elizabeth City*.—

A Bill for dividing S^t *Johns* parish in the County of *King Will^m* was read the Second time.—

Resolved

That the Bill be committed to M^r *Waller* and M^r *Johnson*—

A Message from the Council That they have past the Bill Entituled *an Act for dividing the Parish of Henrico in the County of Henrico* with amendments to which they desire the Concurrence of this House The Amendment made at the end of the Bill in these words (towards building the Two Churches) was read and agreed to—

The Clause proposed to be added at the end of the Bill was read and disagreed to.—

Ordered That

M^r *W^m Randolph* and M^r *Thomas Randolph* do acquaint the Council That this House hath agreed to the Amendment by them made at the End of the Said Bill in these words (towards Building the Said Two Churches) and disagreed to the Clause by them proposed to be added to the Said Bill And that this House desire their Concurrence to the Same without the Said Clause.—

A Bill for altering the Day for *Northampton* County Court was read the Second time and an Amendment was made therein

Resolved

That the Bill with the amendment be Ingrossed

A Bill enlarging *Charles City* County and for consolidating those parts of the Parishes of *Westopher* and *Weynoak* on the North side *James River* and that part of *Wallingford* Parish on the West Side *Chicohominy River* was read the third time.—

Resolved

That the Bill do pass—

Ordered

Ordered

That M^r *Stith* and M^r *Harwood* do carry the Bill to the Council and desire their Concurrence thereto.—

Then the House resolved into a Committee of the whole House to consider of the Governours written Message of the 24th of *November*

M^r *Speaker* left the Chair

M^r *Clayton* took the Chair of the Committee—

M^r *Speaker* resumed the Chair.—

M^r *Clayton* reports from the Said Committee That they had had under their consideration part of the Said Message and had agreed upon a Vote which he read in his place and afterwards delivered the Same in at the Table where the Same was again read and agreed to and is as follows.—

Resolved

That a Lighthouse at Cape *Henry* will be usefull and of great advantage to all Ships that shall come within the Capes of *Virginia*—

Resolved

That this House will again resolve it Self into a Committee of the whole House to morrow further to consider the said message

Ordered

That the Governours message of the 29th of *November* be considered tomorrow—

Adjourned til Eleven a Clock to morrow Morning

Saturday November [December] the 3^d 1720

MR *Clayton* reports from the Committee of Propositions and Grievances That They had had under their Consideration the Petition from *Stafford* County to them referd and had agreed upon a Report which he read in his place and afterwards delivered the Same in at the Table where the Same was again read and is as follows.—

On consideration of the Petition from *Stafford* County complaining of Grants of large Tracts of Land in the Said County the Bounds whereof cannot be known by reason the Grantees have not Surveyed the Same, and are unwilling so to do in Expectation other persons will Ignorantly enter on and have the Said Lands and praying Relief therein.—

The Committee being informed That the Tract called *Brent Town*, the Tract now belonging to M^r *Henry ffitzhugh* and *Henry ffitzhugh* the Younger and the Tract belonging to *Edward Jefferys* Esq^r are the Said Tracts mentioned in the Said Petition—

Resolved

That the Several Proprietors of the Said Tracts shall Survey or cause to be Surveyed the Said Several Tracts of Land within three yeares next coming or on failure thereof That any other person shall be at Liberty to Enter for and hold the Same

The said report was read a Second time—

Resolved

That this House doth agree with the Committee and That a Bill be prepared accordingly.—

Ordered

That the Committee of Propositions and Grievances prepare and bring in the Said Bill.—

A Bill for the better Discovery and Securing his Majesties Quit Rents was read the first time—

Resolved.

That the Bill be read a Second time—

A Bill for Erecting the Counties of *Spotsylvania* and *Brunswick*. and granting certain Exemptions and benefits to the Inhabitants thereof was read the first time—

Resolved

That the Bill be read a Second time—

A Bill for appointing a fferry over *James River* to *Hogg Island* and building a Bridge over the Creek which Seperates the said Island from the Main was read the first time—

Resolved

That the Bill be read a Second time—

M^r *Waller* reports That the persons to whom the Bill for dividing *S^t Johns Parish* in the County of *King William* was committed had made Several Amendments to the Bill, which he read in his place and afterwards delivered the Same in at the Table where the Same was Twice read and agreed to—

Resolved

That the Bill with the Amendments be Ingrossed—

A Bill Intituled *an Act for altering the Day of Northampton County Court* was read the Third time—

Resolved

That the Bill do pass—

Ordered

That M^r *Harmanfon* carry the Bill to the Council and desire their Concurrence thereto—

Resolved

That this House will on *Monday* next Resolve into a Committee of the whole House farther to consider the Governours written Message of the Twenty fourth of *November*

Ordered.

That the Governo^{rs} written Message of the 29th of *November* be considered on *Monday* next.

Adjourned til Eleven a Clock *Monday* morning.

Monday December the 5th 1720.

A BILL for Erecting the Counties of *Spotsylvania* and *Brunswick* and granting certain Exemptions and Benefits to the Inhabitants thereof was read the Second time—

Resolved

That the Bill be committed to the Committee of Propositions and Grievances

A Bill for the better discovery and Securing his Majesties Quit Rents was read the Second time.—

Resolved

That the Bill be Ingrossed.—

A Bill for appointing a fferry over *James River* to *Hogg Island* and building a Bridge over the Creek which Seperates the Said Island from the Main was read the Second time.—

Resolved upon the Question

That the Bill be committed to the Committee of Propositions and Grievances.—

A Bill intituled *an Act for dividing S^t Johns Parish in the County of King William* was read the Third time—

Resolved.

That the Bill do pass.

Ordered

That M^r *Waller* and M^r *Johnson* do carry the Bill to the Council and desire their Concurrence thereto—

A Bill for the Building a Church in the Parish of *Accomack* was read the first time.

Resolved

Resolved

That the Bill be read a Second time.

A Petition of *Hugh Jones* praying the Sum of Thirty pounds may be allowed to be laid out in Prayer books a Surplice and Cushions for the use of the House of Burgeffes when they go to Prayers was read—

Ordered

That the same do lye on the Table.—

Then the House Resolved into a Committee of the whole House further to consider the Governors written Message of the 24th of *November*.

M^r *Speaker* left the Chair

M^r *Clayton* took the chair of the Committee

M^r *Speaker* resumed the Chair

M^r *Clayton* reports from the Said Committee That they had had under their further consideration the Governours written Message of the 24th of *November* and had agreed upon a Vote which he read in his place and afterwards delivered the Same in at the Table where the Same was again read and agreed to as follows.—

Resolved

That a Lighthouse be built and maintained at Cape *Henry* at the Charge of the Colony of *Virginia* Provided the Province of *Maryland* will contribute One hundred and fifty pounds Sterl. towards Building. and Eighty Pounds Sterling per annum for maintaining the Same forever.—

Ordered

That a message be prepared to the Governor to acquaint him with the Resolves of this House made upon the consideration of his Message of the 24th of *November* And it is refer'd to the Committee of Propositions and Grievances.—

Then the House proceeded to the consideration of the Govern^rs written Message of the 29th of *November* and the Same was read.—

Ordered

That M^r *Corbin*, M^r *Blair*, and M^r *Stith* do inspect the Governours House and other Buildings which the Governour is Impowered by Law to finish And that M^r *Henry Cary* be desired to attend them and to Compute the Charge of what is further necessary to be done therein And that the Said Committee report the same to the House—

Ordered.

That the Said Message be further considered on *Wednesday* next—

Adjourned til Eleven a Clock to morrow Morning.

Tuesday December the 6th 1720

ORDRED

That M^r *Walk* have Leave to go into the Country for a week from *Saturday* next.—

A Claim of *John Randolph* Clerk of the House for divers Copies of Orders Resolves, messages Addresses and Bills delivered M^r *Merewether* by order of the last Session of the last assembly was with the Leave of the House received.

Ordered.

That the Same be refered to the Committee of Claimes to Examine the matter and report their Opinions therein to the House—

M^r *Clayton* reports from the Committee of Propositions and Grievances to whom the Bill for Electing the Countys of *Spotsylvania* and *Brunswick* and granting certain Exemptions and benefits to the Inhabitants thereof. And the Bill for appointing a ferry over *James River* to *Hog Island* and building a Bridge over the Creek which Separates the said Island from the Main were committed—Several amendments made to the Bills which he read in his place and afterwards delivered the Same in at the Table where the Same were again twice read and Severally agreed to.—

Resolved

Resolved

That the Bill with the Amendments be Ingrossed—

A Bill for the Building a Church in the Parish of *Accomack* was read the Second time and an Amendment was made therein—

Resolved

That the Bill with the amendment be Ingrossed.

A Message from the Council That they do not insist on the Clause by them proposed to be added at the End of the Bill intituled *an Act for dividing the Parish of Henrico in the County of Henrico*, and have passed the said Bill with the Amendment agreed to by this House

And that they have passed the Bill intituled *an Act for Explaining and amending an Act entitled an Act for appointing Rolling houses and publick Landings and ascertaining the prices of Storage*

A Bill further declaring what shall be account'd a Sufficient Seating Planting Cultivating and Improving Lands was read the first time—

Resolved.

That the Bill be read a Second time—

M^r. *Corbin* reports from the Committee of Elections and privileges That the Committee had agreed upon a report touching the Election of M^r. *Thomas Lee* to Serve in this present General Assembly for the County of *Westmorland* which he read in his place and afterwards delivered the Same in at the Table where the Same was again read.

After a Debate the Question was put.

That the said report be refered to the consideration of a Committee of the whole House—

Resolved

In the Affirmative

Then the Question was put

That the House do now resolve it Self into a Committee of the whole House to consider the Said report.—

Resolved

In the Affirmative

And the House accordingly Resolved it Self into a Committee of the whole House and M^r. *Speaker* left the Chair

M^r. *Grymes* took the Chair of the Committee

M^r. *Speaker* resumed the Chair

M^r. *Grymes* reports from the Said Committee That they had had under their consideration the report of the Committee of Elections and Privileges touching the Election of M^r. *Thomas Lee* to Serve in this present General Assembly for the County of *Westmorland* and had made Some progress therein but not having time to go thro' the Same, had directed him to move for leave to Sit again.

Resolved

That this House will tomorrow Resolve it Self into a Committee of the whole House, further to consider the Said report.—

Adjourned til to morrow Eleven a Clock in the Morning.—

Wednesday December the 7th 1720

M^r. *Simmons* reports That the persons to whom the Bill for Amending the Breed of Horses was committed had made Several amendments thereto which he read in his place and afterwards delivered the Same at the Table where the Same was again twice read—

Resolved

That the Bill be rejected—

M^r.

M^r Clayton reports That the persons appointed had according to Order prepared a Message to the Governour which he read in his place and afterwards delivered the Same in at the Table where the Same was again read and agreed to with an Amendment and it is as follows.—

To the Hon^{ble} Alexander Spotswood his Majesties Lieut. Govern^r. and Commander in Chief of Virginia

By the House of Burgeesses

May it please your Hon^r.

We having considered your Message and the Petition therewith Sent to this House on the Twenty fourth of the last Month relating to the building a Lighthouse on Cape Henry Return your Honour our Thanks for communicating to us the application that hath been made by some considerable persons in the Government of *Maryland* To the End the assembly of both Colonys might be moved to Concur in the like design.—

And as We believe the building Such Lighthouse will be very beneficial to the Trade of both Colonys have resolved. That a Lighthouse be built and maintained at Cape Henry at the Charge of the Colony of *Virginia* Provided the Province of *Maryland* will contribute One hundred and fifty pounds Sterling towards building and Eighty pounds Sterling per annum for maintaining the Same forever And humbly desire the favour of your Honour to Communicate our resolutions on this head to the Governour of that Province and hope Such measures may be taken as will induce the Assembly of that Province to Concur in So beneficial a work.

Ordered

That the Said Message be fairly transcribed and Signed by the Speaker and that the Committee of Propositions and Grievances do Carry the Same to the Governour.

A Bill further declaring what shall be accounted a Sufficient Seating, planting, Cultivating and Improving Lands was read the Second time—

Resolved

That the Bill be committed to the Committee of Propositions and Grievances.

A Bill intituled *an Act for the better Discovery and Securing his Majesties Quit Rents* was read the Third time.—

Resolved

That the Bill do pass

Ordered

That the Committee of Propositions and Grievances do carry the Bill to the Council and desire their Concurrence thereto—

Ordered

That the Governours written Message of the 29th of *November* be further considered to morrow.

Then the House resolved it Self into a Committee of the whole House further to consider the report of the Committee of Elections touchning the *Westmorland* Election.—

M^r Speaker left the Chair

M^r Grymes took the Chair of the Committee

M^r Speaker resumed the Chair—

M^r Grymes reports from the Said Committee That they had had under their consideration the report of the Committee of Elections and priviledges touching the *Westmorland* Elections and not having time to go thro' the Same had directed him to move for Leave to Sit again.—

Resolved

That the House will again resolve it Self into a Committee of the whole House to morrow further to consider the Said report

Adjourned til Eleven a Clock to morrow morning.—

Thursday

Thursday December the 8th 1720.

A BILL intituled *an Act for the building a Church in the Parish of Accomack* was read the Third time.—

Resolved

That the Bill do pass.—

A Bill intituled *an Act for appointing a ferry over James River to Hogg Island and building a Bridge over the Creek which Separates the Said Island from the main*—was read

Resolved

That the Bill do pass

A Bill intituled *an Act for Erecting the Countys of Spotsylvania and Brunswick and granting certain Exemptions and benefits to the Inhabitants thereof* was read the third time—

Resolved

That the Bill do pass

Ordered

That the Committee of Propositions and Grievances do carry the Bill to the Council and desire their Concurrence thereto—

M^r. *Corbin* reports That the persons appointed had according to Order Inspected the Governours House and other Buildings and that M^r. *Henry Cary* attended them and had computed the Charge of what is further necessary to be done therein which amounts to fifty Two pounds Eleven Shillings and Six pence and delivered an Estimate thereof in at the Table.—

Ordered

That the Same do ly on the Table.—

M^r. *Clayton* reports from the Committee to whom the Bill further declaring what shall be accounted a Sufficient Seating planting Cultivating and Improving lands, an Amendment made to the Bill which he read in his place and afterwards delivered the Same in at the Table where the Same was again twice read—and agreed to and a further Amendment was made at the Table.

Resolved.

That the Bill with the Amendments be Ingrossed.

A Petition of *Thomas Jefferson* setting forth his great Loss sustained by fire and praying Relief therein was read.—

Resolved

That the same be refer'd to the Committee of Claims to Examine the matter and report their Opinions therein to the House.—

M^r. *Clayton* reports That the persons appointed had according to order waited on the Governour with the written Message of this House And that he answered he would comply with the request of this House and Communicate their Resolves to the Govern^r of *Maryland*.—

Then the House proceeded to the consideration of the Governours Message of the 29th of November and the Same was read.—

Resolved

That a Bill be prepared to Impower M^r. *Henry Cary* to finish the Governours House and other works according to the Estimate thereof and to take Such measures for draining the Water that falls from the Eaves as shall be proper and for repealing that Clause of the Law which Impowers the Governour to finish the Said House and works.—

Ordered

That the Committee of Propositions and Grievances prepare and bring in the Said Bill.—

The House according to order resolved it Self into a Committee of the whole House further

further to consider the report of the Committee of Elections and Priviledges touching the *Westmorland* Election.—

M^r Speaker left the Chair

M^r Grymes took the Chair of the Committee

M^r Speaker resumed the Chair.—

M^r Grymes reports from the said Committee That they had had under their consideration the report of the Committee of Elections and Priviledges touching the *Westmorland* Election and were come to Several resolutions which he read in his place and afterwards delivered the Same in at the Table where the Same were again twice read and agreed to with an Amendment—as follows.—

Resolved

That it is the Right of the House of Burgeffes to Enquire into the freehold of the Electors upon a Complaint of an undue Election

Resolved

That the House of Burgeffes may take into their consideration the Several Depositions taken before *Thomas Newton* and *George Turberville* Gentlm: Justices of the Peace for the County of *Westmorland* touching the Election of *M^r Thomas Lee* to serve in this present General assembly for the said County.—

Resolved

That *Joseph Sandford* an Infant under age who voted for *M^r Lee* the Sitting Member had no right to give any Vote.

Resolved

That *John Jarvis James Creed, Martin Gollerthon* and *William Wyat* who hold no Lands in the County of *Westmorland* but by Lease for their own Lives and the Life and Lives of other persons Dated in the yeares 1711, 1713, 1716, and April 1719 which are not recorded and voted for the Sitting Member had no right to give any Vote.—

Resolved

That *David Rosier* who voted for the Sitting Member had no Right to give any Vote.—

Resolved

That *Rowland Hendrick* who voted for the Sitting Member had no Right to give any Vote.—

Resolved

That *Evan Price* who voted for the Sitting Member be not struck off the Poll.—

Resolved

Resolved

That *William Chandler* who voted for *M^r Mackcarty* be not Struck off the Poll.

Resolved

That *John Mews* and *Stephen Baily* who hold no Lands in *Westmorland* County but by Leases for Lives not recorded and voted for *M^r Mac Carty* had no Right to give any Vote.—

Resolved

That *Robert Crookshanks* who Stands on *M^r M^cCarty's* pole be not Struck off.—

Resolved

That *John Rice* who is a freeholder in *Westmorland* County and Voted for the Sitting Member but was not entered on the poll be added to the Said Poll.—

Resolved

That *John Crump* and *William Morton* who voted for *M^r M^cCarty* be not Struck off the Poll.

Resolved

That *M^r M^cCarty* has more Legal Votes than *M^r Lee* the Sitting Member.—

Resolved

That *M^r Daniel M^cCarty* is duely Elected a Burgefs to Serve in this present General Assembly for the County of *Westmorland*

Resolved

Resolved

That the Sherif of the Said County hath made a false Return of the Said M^r. *Thomas Lee*.—

Resolved

That the Sherif of *Westmorland* County be sent for in Custody of the Messenger to rafe out of his Return the Name of M^r. *Thomas Lee* and instead thereof Infert the name of M^r. *Daniel M^cCarty*

Ordered

That M^r. *Speaker* do accordingly Issue his warrant to the Messenger attending this House—

Ordered

That M^r. *Anthony Armistead* have Leave to be absent til *Monday* next—

Ordered

That M^r. *Braxton* have Leave to be absent from *Saturday* til *Tuesday* next.—

Ordered

That M^r. *Corbin* have Leave to be absent on *Monday* next

Adjourned til Eleven a Clock tomorrow Morning.—

Friday December the 9th 1720

A BILL for Supply of certain defects found in an Act prescribing the method for appointing Sherifs was read the first time.—

Resolved.

That the Bill be read a Second time—

Ordered.

That M^r. *Lear* have leave to be absent til *Tuesday*.

A Bill intituled *an Act further declaring what shall be accounted a Sufficient Seating planting Cultivating and Improving Lands*. was read the Third time—

Resolved

That the Bill do pass.—

Ordered

That the Committee of Propositions and Grievances do carry the Bill to the Council and desire their Concurrence thereto.—

M^r. *Bridger* reports from the Committee of Claimes That the Said Committee having according to order Inspected the Book of Claim^s. of the last Session of the last assembly Do find That the Same did pass the House of Burgeses and the Council and was assented to by the Governour with Some Exceptions, and that the Tobacco Claimes in the Same contained and allowed were not proportioned or paid to any of the Creditors. But that all the money allowances which were made in the House Except One Article of Three hundred pounds appear to have been paid by the Governours Warrants drawn on the Treasurer payable to the respective persons to whom the Same were due—and that the Said Committee had fairly transcribed the Said book and directed him to report the Same to the House—

And further reports That the Said Committee had likewise considered the Several Claimes to them refer'd this Session and had made Several allowances thereupon which they had entred in a Book and directed him to report—

And he delivered the Said Two books in at the Table.—

Ordered

That the Same do lye on the Table.—

M^r. *Bridger* further reports from the Said Committee That they had according to Order considered what fees should be allowed the Officers of the House of Burgeses for the Extraordinary Services by them performed and had agreed upon a report which he delivered in at the Table where the Same was read.—

Ordered

Ordered

That the Said report lye on the Table

The Petition of *Christopher Jackson* praying the Direction of this Houfe in the laying out the Land fet a part for a Port at *Archers Hope* Creek. was read.—

Resolved

That the Said *Christopher Jackson* be Impowered to lay out the Lots at *Archers hope* Creek and that he be Allowed Ten pounds. for his Trouble therein out of the Money in the hands of M^r. *Holloway* and M^r. *Clayton* arifeing by the Sale of Lots and that he have Liberty to cut and carry away for his own ufe all the Trees and Underwood growing thereon—

Adjourned til Eleven a Clock tomorrow Morning.

Saturday December the 10th 1720

A MESSAGE from the Council That they have paffed the Bill Intituled *an A^{ct} for Enlarging Charles City County and for Consolidating thofe parts of the Parishes of Westopher and Weynoak on the North Side James River and that part of Wallingford Parish on the West Side Chicohominy River.*—

And they have paffed the Bill Intituled *an A^{ct} for dividing St^t. Johns Parish in the County of King William.*—

And the Bill Intituled *an A^{ct} to divide thofe parts of the parishes of Westopher and Weynoak which lye on the South Side of James River from thofe parts of the Said Parishes which lye on the North Side the Said River and for Uniting Westopher and Weynoak parishes on the South Side James River to Martin Brandon Parish in the County of Prince George and for Erecting a Chappel in Bristol parish in the Said County with Some Amendments to which they defire the Concurrence of this Houfe.*—

And the Said Amendments were Severally read and agreed to.—

Ordered

That a meffage be fent to the Council to acquaint them That this Houfe have agreed to the amendments by them propofed to the Said Bills and that M^r. *Waller* M^r. *Johnson* and M^r. *Hamlin* do go up with the Meffage.

A Bill for Supply of certain defects found in an A^{ct} prefcribing the method for appointing Sherifs was read the Second time—

The Queftion was put

That the Bill be Ingroffed

Resolved In the Affirmative

A Bill to Impower *Henry Cary* Gent to finifh the Houfe of the Govern^r of the Colony and Dominion of *Virginia* was read the firft time—

Resolved

That the Bill be read a Second time.—

M^r. *Clayton* reports That the Committee appointed to Joyn with a Committee of the Council to prepare an addrefs to his Majeftie had accordingly prepared the Said Addrefs. which he delivered in at the Table and the Same was read and agreed to—

Ordered.

That the perfons who prepared the Said Addrefs do carry the Same to the Council and defire their Concurrence thereto—

Resolved

That a Committee be appointed to joyn with a Committee of the Council in preparing an Addrefs to the Governour upon the Subject matter of the Refolves of this Houfe relating to the Security and defence of the Harbours in this Colony and it is referd to M^r. *Clayton* M^r. *Grymes* M^r. *W^m. Randolph* and M^r. *Burwell.*—

Ordered

That the Said Committee do defire the Council to appoint Two of their Members to Joyn with them in preparing the Said Addrefs.—

M^r *Grymes* reports That the persons appointed had according to order Inspected and Examined the Accounts of the Governours house and Gardens, the Church Magazine, and prison and that they find due to the Governour on Ballance the Sum of four hundred Sixty nine pounds Two Shillings and nine pence half penny.

And M^r *Grymes* further reports That they had Inspected and Examined M^r *Claytons* Accounts of Money received for Lots in the City of *Williamsburgh* and Disbursements in repairing the Capitol and that they find due from him on Ballance the Sum of Ninety One pounds four shillings and nine pence

And the Said Accounts were Severally read.

Resolved.

That the Same do pass—

Resolved

That the Treasurer of the Duties on Liquors and Slaves be Impowered to pay the Sum of four hundred Sixty nine pounds Two Shillings and Nine pence half penny out of the Money in his hands to the Honorable Governour *Spotswood*.—

Ordered

That M^r *Grymes* do carry the said Resolve to the Council and desire their Concurrence thereto—

Adjourned til Eleven a Clock on *Monday* Morning.

Monday December the 12th 1720

O*RDERED*

That M^r *Beverley* have leave to go home for recovery of his health.

A Bill to Impower *Henry Cary* Gent to finish the House of the Governo^r of the Colony and Dominion of *Virginia* was read the Second time

Resolved

That the Bill be Ingrossed

A Bill intituled *an Act for Supply of certain defects found in an Act prescribing the method for appointing Sherifs* was read the third time—

Resolved

That the Bill do pass.—

Ordered

That the Committee of Propositions and Grievances do carry the Bill to the Council and desire their Concurrence thereto—

Ordered

That the Estimate of the Charge of finishing the Governours House be Entred on the Journal which is as follows.—

450 yards painting on the Roof of the House at 12 ^d	£22	..	10	..	0
4 yards Ditto on the Side board Shutter	4	..	0
White Washing the passage and private Staires and mending the plastering in the Billiard room	1	..	5	..	0
Paving One Vault with Brick	2	..	0	..	0
Turning 4 Arches over the Vault doores	6	..	0	..	0
finishing a Partition in the Cellar	0	..	7	..	6
Altering the Balcony doores to hang on the Outside	0	..	15	..	0
Covering the flatt roof with Pitch, Sand, and Lime and laying a floor of Plank over the Same	12	..	0	..	0
finishing the Bannio ^r	1	..	10	..	0
Changing Ladders to Secure against fire	6	..	00	..	0

£52 .. 11 .. 6

The

The Question was put—

That the book of Claimes of this Seffion be now considered.—

Resolved

In the Affirmative

And the House accordingly proceeded to consider the Same. And part thereof was read

Ordered

That the Same be further considered tomorrow

Adjourned til Eleven a Clock to morrow Morning.—

Tuesday December the 13th 1720.

A BILL intituled *an Act to Impower Henry Cary Gent to finish the House of the Governour of the Colony and Dominion of Virginia* was read the third time.—

Resolved

That the Bill do pass.—

Ordered

That the Committee of Propositions and Grievances do carry the Bill to the Council and desire their Concurrence thereto—

Then the House proceeded to the further consideration of the Book of Claimes and the Same was read thro' and agreed to with Several Amendments.

A Message from the Council that they have passed the Bill Intituled *an Act for altering the day for Northampton County Court*, and that they have agreed to the Address to his Majesty and to the Resolve for paying the Sum of four hundred Sixty nine pounds nine shillings Two pence to the Honorable Governour *Spotswood*.

And the Said Address is in these words.

To the King's most Excell^t Majesty The humble Address of the Council and Burgeesses of Virginia—

May it Please Your Majesty

We your Majesties most dutiful and Loyal Subjects the Council and Burgeesses of this your most antient Colony being now met in Assembly and having with great attention deliberated on the Circumstances of our Country and considered as well how to Extend Your Empire in those parts as to Secure our present Settlements from the Incursions of the Savage Indians and from the more dangerous Incroachments of the Neighbouring *French* Do with all Submission to your Royal Wisdom beg leave to lay before your Majesty the present Scituation of this Colony and the means whereby We humbly conceive it may at this time be better secured and Improved.

To the Westward of *Virginia* about forty miles distant from some of our Remotest Settlements there runs a Ridge or continued Chain of Exceeding high Mountains, which Extend all along on the back of this and the next Province of *Carolina* and must certainly prove an Extraordinary Safeguard to these Colonys whenever our Plantations shall reach So far as to get possession of the few difficult Passes which according to the best Discoveries we have hitherto been able to make appear to be no more than Two thro' that Ridge On the other hand in case the *French* who are Carrying on dangerous Projects not very far beyond these Mountaines should be before hand with your Your Majesties Subjects and possess these passes that Nation would then not only Secure their Communication betwixt the Rivers St: *Lawrence* and *Mississipi* but would be in Condition by keeping the Key of this Barrier, to annoy your Majesties Subjects on his Side whenever they think fit—

This Apprehension awakens us to give all Encouragement Suitable to our poor abilities for the Spedy Seating That Tract of Land which lyes untaken up between our present Settlements and those Two Passes in the high Mountains for that end we have now Erected Two new Countys the One on *Rappahannock* River leading up to the Northern

Pass

Pafs and the other on *Roanoak* Leading to that on the South. To encourage People to go up and Seat these Two Countys— We have Exempted the Inhabitants thereof from Publick Taxes for the Space of Ten yeares We have agreed to build them Churches and Courthoufes and to furnifh them with armes and Amunition at the Publick Charge, but what we humbly prefume would Stil be a greater Inducement to many of your Majesties Subjects to go up and Settle this new ffrontier would be your Royal favour of remitting all the Quit Rents of these Two Counties for Ten yeares and Exempting the Takers up of Land from the five Shillings which they are by the Order of this Government obliged to pay for every fifty Acres of Land that they enter for. And this Bounty We are the more Encouraged to Beg becaufe we are fully perfwaded that in a few yeares it will prove a confiderable Augmentation of your Majesties Revenue here.—

And for the more Effectual Security of this Your Majesties Dominion and to Render the propofed Barrier more defenfible—We humbly beg your Majesty wil be graciously pleased to give Directions for Building a ffort at each of the Paffes in the great Mountain's out of your Majesties Revenue of Quit Rents in this Colony And likewise for Sending over two Companys of men in your Majesties pay confifting of fifty Men each befides Officers to Serve as a Garifon for these fforts and a constant Guard of our Mountaines under the Orders of Your Majesties Governour and Council here—

And that Your Majesty may be more readily induced to Extend your Royal Bounty in the particulars above mentioned our Liev^t. Governour Colonel *Spotswood* will be pleased to interceed with Your Majestie in our favour who has fpar'd no fatigue or Expence to vifit our Mountaines in perfon and to inform himfelf of the Exceeding Importance of them both for your Majesties Service and for the defence and Security of this Dominion.—

Ordered

That the Said Addrefs be fairly tranfcribed and that the perfons who prepared the Same do carry the Same to the Council to be figned by them—

Ordered

That M^r. *Grymes* and M^r. *Jones* do carry the Said Refolve to the Governour and defire his Affent thereto—

Adjourned til Eleven a Clock to morrow morning.

Wednesday December the 14th 1720

MR. *Corbin* reports That the Committee appointed to Join with a Co^mmittee of the Council in Preparing an addrefs to the Governour relating to the Treaty with the Northern Indians had accordingly prepared the Said Addrefs which he read in his place and afterwards delivered the Same in at the Table where the fame was again read—

Resolved.

That the Same be committed to the Committee who prepared it and that M^r. *Clayton* be added to the Said Committee.—

M^r. *Grimes* with the Leave of the Houfe delivered in at the Table a writing drawn up in the form of a Refolve—in these words.—

Resolved

That it is neceffary to appoint Some proper perfon to Solicite in *Great Britain* the Subject matter of the addrefs of the Council and Burgeffes to his Majesty, the Representation to the Admiralty the affair relating to a Treaty with the five Nations of Northern Indians at *Albany* and all Such other matters as may hereafter be agreed on by this General Affembly

Then the Queftion was put

That the faid Refolve be now confidered.

Resolved In the Affirmative—

Then the Queftion was put

That the Said Refolve be made the Refolve of this Houfe

The

The Houfe divided

Yeas.....	21	} Speaker Yea.
Noes.....	21	

And fo it was Refolved. In the Affirmative

Resolved

That it is neceffary to appoint fome proper perfon to Solicite in *Great Britain* the Subject matter of the Addrefs of the Council and Burgeffes to his Majeftie, the Representation to the Admiralty the Affair relating to a Treaty with the five Nations of Northern Indians at *Albany* and all Such other matters as may hereafter be agreed on by this General Affembly.

Resolved

That *William Byrd* Esq^r. be the perfon and that he be defired to take upon him the Negotiation of the Said Affaires.—

Resolved

That the Said *William Byrd* be paid out of the Publick Money now in the hands of the Treafurer the Summe of four hundred pounds in confideration of his Expences Trouble and Services.—

Resolved.

That the Liev^t. Governour be Impowered and defired to Ifsue his Warrant for the Said Sum.—

Ordered

That the Committee of Propositions and Grievances do carry the Said Refolves to the Governour and Council and defire their Concurrence thereto—

A Meflage from the Governour was delivered by M^r. *Robertfon*—

M^r. *Speaker*

I am commanded by the Governour to acquaint this Houfe that he hath affented to the Refolve for Impowering the Treafurer to pay him four Hundred Sixty nine pounds, Nine Shillings and Two pence half penny.—

A Meflage from the Council That they have Paffed the Bill Intituled *an Act for Erecting the Countys of Spotfylvania and Brunfwick and granting certain Exemptions and Benefits to the Inhabitants thereof* with Some Amendments To which they defire the Concurrence of this Houfe.—

That they have figned the Addrefs to his Majeftie—

And that they have appointed Two of their Members to Join with a Committee of this Houfe in preparing the Addrefs to the Governour relating to the Security and defence of the Harbours. Severall Allowances made in the Houfe and added to the Book of Claimes were read and agreed to.—

Ordered

That the Committee of Claimes do carry the book of Claimes to the Governour and Council and defire their Concurrence thereto

Ordered

That the Houfe be called over to morrow at twelve a Clock.—

Adjourned til Eleven a clock to morrow morning.

Thursday December the 15th 1720.

MR. *Corbin* reports from the Committee to whom the Addrefs to the Governour relating to the Treaty with the Northern Indians was committed. Several Amendments made to the Same which he delivered in at the Table where the fame was read and agreed to and the Said Addrefs is as follows.—

To the Hon^{ble} Alexander Spotfwood his Majefties Liev^t. Govern^r. and Command^r in Chief of Virginia—

The humble Addrefs of the Council and Burgeffes of this Present General Affembly
SIR

We the Council and Burgeffes met in Affembly having maturely confidered that part of the Letter from the Right Hon^{ble} the Board of Trade and Plantations which you
were

were pleased to lay before us at the beginning of this Session relating to the Treating at *Albany* with the five Nations of Northern Indians Humbly beg leave to represent to your Honour the deep Concern we are under to find our selves indispensably obliged to give you advice which perhaps may seem contrary to the Impressions made on their Lordships by the Representations from the Government of *New York*.—

The many Instances of your great penetration and your Indefatigable application to the Indian Affairs in the frequent Occurrences which have hapned thro' the whole Course of your Government convince us—That you must know as well as any man the nature and Strength of the Indians and their Scituation as well as that of this Country and how ineffectual It must be to treat with those Nations at *Albany*. (where we cannot find any of our Governours Except the Lord *Howard* did ever treat with the Indians) until those Preliminary Articles which you were pleased to lay before us are agreed to by them which contain nothing more than what they acknowledge they are already obliged to by their former Treaty and do not pretend We or our Tributary Indians have ever infringed—

Wherefore Sir We hope you will favourably accept our unanimous Opinion That we cannot in Duty to his Majesty or Justice to this Country advise or Enable you to treat with those five Nations at *Albany* until a Satisfactory Answer is returned from them or the Government of *New York* that those Preliminary Articles which we think so Essentially necessary for the Quiet of this Country (that they cannot be waved) are rattified in the firmest manner.

And we humbly beg That you will be pleased to Represent this our Opinion being the Effect of our Zeal for his Majesties Service to the R^d Honorable the Lords of Trade and Plantations in the most favourable manner which will Engage us more and more to pray for Your Honours health and Prosperity.—

Ordered

That the Said Addrefs be fairly transcribed and That the Committee who prepared it do carry the same to the Council and desire their Concurrence thereto—

M^r *Grymes* reports that the persons appointed had according to Order Inspected and Examined the Treasurers Accounts and find the Ballance due to the Country (Exclusive of the Interest arising from the Ten Thousand pounds lent out by Act of Assembly) Seventeen Thousand Two hundred Sixty pounds fourteen shillings Eleven pence three farthings—

Ordered

That the Treasurer do make Oath to the Said Accounts before the Governour.—

A petition of the Vestry of *Bruton* Parish Setting forth a dispute between the Governour of this Colony in behalf of his Majesty and the s^d Vestry touching the Right of Patronage in the Said Parish and that the Same must necessarily be determined by Law. and much affect the whole Country and praying that the Charge of Such proceeding at Law may be defrayed out of the Publick money was read.—

Resolved

That the necessary Charge of Such proceeding in behalf of the said Parish be defrayed out of the publick money.

Resolved

That the Treasurer be Impowered to pay the Sum of Sixty pounds out of the money in his hands to the Reverend *James Blair* Minister *Henry Cary* and *Robert Cobbs* Churchwardens of the said parish towards defraying the Charge of the Said Suit and that the Said *James Blair Henry Cary* and *Robert Cobbs* or the Survivor of them do account for the Same to the General Assembly upon Oath when thereunto required.—

Ordered

That the Committee of Propositions and Grievances carry the Same to the Governour and Council and desire their Concurrence thereto—

M^r *Corbin* reports from the Committee of Elections and Priviledges That they had had under their consideration the Petition of Sundry Inhabitants of *Essex* County complaining

plaining of hardships Impofed on them by the Militia Court lately held in that County and had agreed upon a report which he read in his place and afterwards delivered the Same in at the Table where it was again read.—

Ordered

That the faid report do ly on the Table.—

The Houfe proceeded to take into their confideration the Report of the Committee of Claimes for Setling the fees of the Officers of the Houfe of Burgeffes for their Extraordinary Service and the Same was read and agreed to with Some Amendments as follows

To M^r *Speaker* for every private Bill by which are not intended Bills to divide Countys or parifhes, Building of Churches or bridges or the like paffed for a matter of the value of One hundred pounds or under the Sum of five pounds and One per Cent for any greater value.

To the Clerk of the Houfe of Burgeffes for his Trouble in paffing any private Bill as aforefaid for a matter of One hundred pounds value and under the Sum of fifty fhillings and for any greater value the Sum of five pounds.—

for a Search and Copy of any Record or old Paper Ten fhillings.—

for a Copy of any Single Act or Bill if the Same be contain'd in One Sheet of Paper or lefs five Shillings.—

for every Sheet more Two fhillings & Six pence—

for a Copy of every Refolve on the Journal Two Shillings & Six pence

for a Copy of the Journal of One Seflions Two pounds Ten Shillings.—

for every warrant for taking any perfon into Cuftody five Shillings.—

for every Warrant for Summoning Evidences five Shillings.—

Ordered

That M^r *Lawrence Smith* have leave to be abfent tomorrow—

The Houfe according to Order was called over—

Ordered

That M^r *McCarty* be added to the Lift of the Burgeffes.—

Ordered

That M^r *McCarty* do attend at the Bar of the Houfe to give his reafons why he does not take his place in the Houfe—

Ordered

That M^r *Rickets* be fent for in Cuftody of the Meffinger attending this Houfe to attend the Service of the Houfe and that M^r *Speaker* do Iflue his Warrant accordingly.—

M^r *McCarty* was called in and M^r *Speaker* acquainted him That he was by a Refolve of this Houfe of the Eighth of this Month declared duly Elected to Serve in this preſent General Affembly for the County of *Westmorland* and that upon a Call of the Houfe they found him abfent and defired to know the reafon—

To which M^r *McCarty* answered, he was very Senfible of the Refolve of this Houfe, but that he could not prefume to take his place til he had taken the Oathes appointed by Law to be taken, For that purpoſe he had waited on thoſe Gentlemen of the Council who were Impowered to Adminiſter thoſe Oathes and that Three of them had refuſed to Swear him—And then withdrew. And being again called in was by the Speaker by direction of the Houfe Demanded what reafon the Council gave for refuſing to Swear him.—

He answered.—

That he could not prefume to tell their reafons but by what he could Collect from their Arguments among themſelves. The Reafon was that his name was not notified to them on the back of the Writ And then withdrew—

Ordered

That the Meffinger do attend at the Barr and acquaint this Houfe what he has done with the Warrant for taking the Sherif of *Westmorland* into Cuftody.

Adjourned til Eleven a Clock to morrow Morning.—

Fryday

Fryday December the 16th 1720.

THE Messenger was called in and demanded by the Speaker by Direction of the House what he had done with the Warrant for taking the Sherif of *Westmorland* into Custody And he answered That a Messenger went away with it on *Saturday* last and that it was said he crossed *Rappahanock* on *Tuesday* last.—

A written Message from the Governour and Council was delivered by M^r *Robertson*.—

M^r Speaker and Gentlemen of the House of Burgeffes.

The late Depredations committed on this Coast by the *Spanish* Privateers and the heavy Losses which divers of the Subjects of this Colony had thereby sustained made it necessary for the Government to take Some effectual measures for preventing the like future Hostilities as well as for obtaining Restitution of the Vessels and effects thus unwarrantably taken And Seeing it appeared by Some the Crew of One of those *Spanish* privateers made prisoners on board a Retaken Ship That the Said Several Roberys had been committed by persons Acting under the Commission of the Governour of *S^t Augustine*—It was judged Expedient to Send thither a flag of Truce with a Letter to that Governour to Expostulate with him upon the Infraction of the Suspension of Armes which had been so long concluded between the Two Crowns of *Great Britain* and *Spain* and to demand Restitution of Such of the Vessels and Effects as had been taken by his Privateers during the Said Suspension. Cap^t *John Martin* who had been a Sufferer by the taking a Sloop wherein he with other Gentlemen of this Colony were concerned. offered to undertake this Service without any other advantage to himself than barely the Common hyre of his Sloop *Ranger* during the Voyage and of his Master and Two or three other Sailors upon Condition That the Government should Supply him with Armes and Amunition and with Provisions for Such Men as Should be thought necessary to be put on board And that the Government should stand engaged for the value of the said Sloop if she Should happen to be taken or lost in this Service, According to which resolution fifty men with an Officer were obtained from Cap^t *Whorwood* Commander of his Majest^y Ship the *Rye* 8 great Guns Impressed and a Suitable quantity of Shot and all other necessarys requisite for fitting the Said Sloop for the intended Service were taken up on the Publick faith and put on Board with all convenient Dispatch—So that Cap^t *Martin* Sailed from hence a few daies after the Privateer went off the Coast. That Your House may be more fully Informed of the Effect of this Dispatch a Transcript of Cap^t *Martins* Negotiations at *S^t Augustine* is here Sent you from whence we doubt not you will be induced to Enable the Government to make good its Engagement as well in repairing the Loss of the Sloop Sent on this Service which you will percieve by Cap^t *Martins* Journal was unfortunately cast away upon the Bar of *S^t Augustine* without a possibility of saving any part of the Guns or Tackle belonging to her as defraying the other Expences of that Armament. But what is more particularly recommended to your consideration is the Gratifying in Some measure the Sailors who went upon this Service and by that unfortunate Disaster lost all their Cloathes and Bedding and other necessarys and were reduced to a Condition of almost Starving for want of provision in their Return home If to this you will add Some distinguishing Bounty to the Widows of those who lost their Lives in the aforementioned Ship wreck. You will thereby give Encouragement to others to enter more Cheerfully into the Publick Service when the Necessity of the Government shall hereafter require the like Expedition And as Cap^t *Martins* Circumstances in this Country are known to lay no necessity on him to undertake an Employment of So much danger but purely for the Honour of the Country and the general Advantage of Trade And that his whole Conduct herein has been agreeable to that Principle—We cannot but recommend him more particularly to your Consideration as hoping he is not the less Intituled to a Reward for his Trouble
and

and Loffes on the Publick Service for his so generously undertakeing the Same without any previous Conditions for himself.—

By order of the Govern^r and Council
Wil Robertson Cl. G. Afs.

December the 15th 1720

Ordered

That the Said message be considered tomorrow.

A Message from the Council That they have passed the Bill Intituled *an Act to Impower Henry Cary Gent to finish the House of the Governour of the Colony and Dominion of Virginia*

The Bill intituled *an Act for the building a Church in the Parish of Accomack.* And.

The Bill intituled *an Act for Supply of certain defects found in an Act prescribing the method for appointing Sheriffs—*

And that they had passed the Bill Intituled *an Act for the better Discovery and Securing his Majesties Quit Rents* with Some Amendments To which they desire the Concurrence of this House.—

The House then took into their consideration the Amendments proposed by the Council to the Bill Intituled *an Act for Erecting the Counties of Spotsylvania and Brunswick and granting certain Exemptions and benefits to the Inhabitants thereof* And all the Said amendments. Except the last being twice read, were Severally agreed to—

The last amendment being for Striking out the last Clause of the Said Bill was twice read.—

And the Question being put for agreeing with the Council in that Amendment
 It passed in the Negative—

Ordered.

That a Message be sent to the Council to acquaint them That this House have agreed to all the Amendments by them proposed to the Said Bill—Except the last, to which they have disagreed, and to desire them to pass the Said Bill without the Said amendment and that the Committee of Propositions and Grievances do go up with the Message.—

The House then took into their consideration the amendments proposed by the Council to the Bill intituled *an Act for the better discovery and Securing his Majesties Quit Rents.*

And the first amendment being twice read was agreed to with an Amendment—

The Second & third Amendments being twice read were Severally agreed to—

The fourth amendment being twice read part thereof was agreed to & part disagreed to—

The fifth Sixth and Seventh amendments being twice read were Severally agreed to.—

The Eighth amendment being twice read, and the question being put for agreeing with the Council in that amendment.

It passed in the Negative

The ninth and Tenth Amendments being twice read were Severally agreed to—

Ordered

That a message be Sent to the Council to acquaint them that this House have agreed to the first amendment by them proposed to the Said Bill with an amendment, And to the Second, third, part of the fourth, fifth, Sixth Seventh Ninth and Tenth And to the Eighth have disagreed. And That the Committee of Propositions and Grievances do go up with the message.—

Adjourned til Eleven a Clock to morrow morning.—

Saturday December the 17th 1720

THE House then took into their consideration the written Message of the Governour and Council of Yesterday and the Same was read.

Resolved

That this House doth not think fit to repair the Loss of the Sloop Ranger or to defray the other Expenses of the Armament mentioned in the Said Message.—

Resolved

Resolved

That the Sum of One hundred pounds be paid to Cap^t *John Martin* for his good Services in the Expedition to St^t *Augustine*—

Resolved

That the Sum of Three hundred pounds be given to be distributed by order of the Governour and Council as they shall think proper among those persons or the Widows of any of them who went on the Expedition to St^t *Augustine* under Cap^t *Martin*.—

Resolved

That the Treasurer be Impowered to pay the Said Sum of four hundred pounds out of the money in his hands and that the Governour be desired to Issue his Warrants accordingly—

Ordered

That a Message be prepared to the Governour and Council pursuant to the Said Resolves and to desire their Concurrence thereto and it is refer'd to the Committee of Propositions and Grievances.

A Message from the Council That they do insist on the last amendment made by them to the Bill intituled *an Act for Erecting the Countys of Spotylvania and Brunswick and granting certain Exemptions and benefits to the Inhabitants thereof*.

And that they have passed the Bill intituled *an Act to Explain and amend part of an Act Intituled an Act for regulating the Elections of Burgeffes for settling their priviledges and for ascertaining their Allowances* with Some Amendments to which they desire the Concurrence of this House.—

Resolved

That the Sum of fifty pounds be paid to the Speaker of this House out of the money in the hands of the Treasurer for his Services. this Session.—

Resolved

That the Sum of Twenty pounds be paid to M^r *Clayton* Chairman of the Committee of Propositions and Grievances out of the money in the hands of the Treasurer for his Expences and Extraordinary Service this Session.—

Ordered

That M^r *Willis*, M^r *Presly* and M^r *James Ball* do carry the Said Resolves to the Governour and Council and desire their Concurrence thereto.—

A Message from the Council That they have agreed to the address to the Governor relating to the Treaty with the five Nations of Northern Indians.

And that they have agreed to the amendment proposed by the House to the first and fourth amendment made by them to the Bill intituled *an Act for the better discovery and Securing his Majesties Quit Rents* and that they do insist on the Eighth by them made to the said Bill disagreed to by this House.—

Resolved

That this House do not insist on their Disagreement to the Said Amendment by the Council to the Said Bill—

Resolved

That this House do not insist on their Disagreement with the Council in the last amendment by them made to the Bill intituled *an Act for Erecting the Counties of Spotylvania and Brunswick and granting certain Exemptions and benefits to the Inhabitants thereof*—

Ordered

That the Committee of Propositions and Grievances do acquaint the Council That this House doth agree with them in the Said Amendments.

The Treasurer having made Oath to his Accounts before the Govern^r.

Resolved

That the same do pass.—

Ordered

That M^r *Grymes* and M^r *Jones* do carry the Said Accounts to the Governour and Council and desire their Assent thereto—

Adjourned til Eleven a Clock on *monday* morning.

Monday

Monday December the 19th 1720

MR. Clayton reports from the Committee of Propositions and Grievances That they had according to Order prepared A Message to the Governour and Council pursuant to the Resolves of this House on *Saturday* last in answer to their message of the Sixteenth of this Instant *December* and he read the Said Message in his place and afterwards delivered the Same in at the Table where it was again read and agreed to as follows.

By the House of Burgeesses.—

To the Hon^{ble} Alexander Spotswood his Majesty's Lieut. Govern^r. and to the Hon^{ble} the Council of Virginia.

May it please yo^r. Honours

We having deliberately considered the Message Sent by your Honours to this House the 16th of this Instant *December* and the Several papers refer'd to therein containing a narrative of the Expedition undertaken by Cap^t. *John Martin* to S^t. *Augustine* and his Negotiations thereupon humbly beg leave to acknowledge the Regard Shewn by your Honours to this House in Communicating to us the measures taken in that affair

And since this Expedition was projected and carried on by yo^r. Hon^{rs} with a View to the General Benefit and advantage of all his Majesties Subjects trading to these parts We hope you cannot Expect us to repair the Loss of the Sloop *Ranger* or to defray the Expence of that Armament

The Zeal Cap^t. *Martin* has Shewed by Embarquing himself So generously for the Security of our Trade obliges us to think he deserves a Reward We have therefore resolved to give him One hundred pounds as an Acknowledgment of the just Sence we have of his Services on that Occasion.

And for a recompence for the Losses Sustained by Such Officers and Seamen as Served under him in that Expedition as well as for a reward for their good Behaviour—we have resolved That Three hundred pounds be distributed among the Said Men and the Widowes of Such of them as were drowned in proportion to their Losses and Deferts and in Such manner as your Honour the Governour and the Hon^{ble} the Council shall think fit.

Ordered

That the Said Message be fairly transcribed and Signed by the Speaker and that the Committee of Propositions and Grievances do carry the Same to the Governour and Council

Ordered

That the persons who prepared the addresse to the Governour relating to the Treaty with the Northern Indians together with the Committee of the Council who Joined with them in preparing the Same do wait on the Governour and desire to know when he will be attended by the Council and this House with the Said Addresse.—

The House then took into consideration the amendment made by the Council to the Bill intituled *an Act to Explain and amend part of an Act Intituled an Act for regulating the Elections of Burgeesses for Settling their privileges and for ascertaining their allowances—*

And the Said Amendments were Severally read and agreed to

Ordered

That a Message be Sent to the Council to acquaint them That this House have agreed to the amendments by them proposed to the Said Bill.

The House being informed That M^r. *Rickets* attended at the Door in Custody.

Ordered

That he be Discharged paying fees.

James Shield the Messenger attending this House was by Order of the House called in and demanded by the Speaker whether he had taken the Sherif of *Westmorland* into

into Custody And he answered he had heard nothing of the person he Sent with the Warrant and then withdrew—

Resolved

That the Said *James Shields* hath failed to do his duty in the Execution of the said Warrant and doth deserve to be Censured for the Same—

And he was called in and acquainted the House That the messenger was just returned That the Sheriff of *Westmorland* was gone from home into *Maryland* and was not Expected back til after the *Christmas* holy daies but that a Copy of the Warrant was left at his house and then withdrew. And being again called in at the Bar received a Reprimand from the Speaker and acknowledging his Offence begged pardon of the House and withdrew—

Ordered

That the Clerk of the House of Burgeffes do now at the table Rase the name of *Thomas Lee* out of the Return of the writ for Election of Burgeffes to Serve in this present General assembly for the County of *Westmorland* and instead thereof insert the Name of *Daniel M^c Carty*.—

Resolved

That the Sum of forty Shillings be paid to *John Randolph* Clerk of the House of Burgeffes out of the Money in the hands of the Treafurer for each Copy of the Laws of this Session of Assembly to be sent to the respective Counties in this Colony amounting in the whole to fifty four pounds and that the Governo^r be desired to Issue his Warrant for the said Sum when the Clerk shall make it appear to him that he hath delivered the Several Copies of the Said Lawes.

Ordered

That M^r *Merewether* M^r *Boush* and M^r *Waller* do carry the said Resolve to the Governour and Council and desire their Concurrence thereto.—

Adjourned til Eleven a Clock to morrow morning.—

Tuesday December the 20th 1720

MR *M^cCarty* having produced a Certifycate of his having taken the Oaths appointed by Act of Parliament to be taken instead of the Oathes of Allegiance and Supremacy, the abjuration Oath, the Teft, and Oath of a Burgefs took his place in the House—

Upon a Motion

Resolved

That the Sum of Two hundred pounds be paid to Cap^t *Martin* for his good Services on the Expedition to S^t *Augustine* instead of the Sum of One hundred pounds which by the Resolve of this House on *Saturday* last was to be paid for the Said Services—

Resolved

That the Sum of Two hundred pounds only be given to be Distributed by order of the Governour and Council among those persons or the Widowes of any of them who went under Cap^t *Martin* instead of the Sum of Three Hundred pounds by the Resolve of this House of *Saturday* last given to be distributed as aforefaid—

Ordered

That the Clerk do accordingly alter the Resolves and message of this House relating to the Expedition to S^t *Augustine* before the Same be sent to the Governour and Council.—

A Message from the Governour and Council—

That they have assented to the Resolve of this House of the 15th of *December* for paying Sixty pounds to *James Blair*, *Henry Cary* and *Robert Cobbs* for defraying the Charge of trying the Right of patronage in the Parish of *Bruton*.

To the Resolves of this House of the 17th of *December* for paying to the Speaker fifty pounds and to the Chairman of the Committee of Propositions and Grievances Twenty pounds.—

And

And to the Refolve of this Houfe of the 19th of *December* for the paying to the Clerk of this Houfe fifty four pounds for the Copys of the Lawes to be Sent to the refpective Countys in this Colony.—

And that they propofe Several amendments to be made to the Refolve of the 14th of *December* touching the Neceffity of appointing Some proper perfon to Solicite in *Great Britain* Several matters therein mentioned before they pafs the Same.—

A Meflage from the Council That they have paffed the Bill intituled *an Act further declaring what fhall be accounted a Sufficient Seating planting Cultivating and Improving Lands* with Some amendments to which they defire the Concurrence of this Houfe—

And the Said Amendments were Severally read and agreed to with an Amendment.—

Ordered

That the Committee of Propofitions and Grievances do acquaint the Council That this Houfe have agreed to the Said Amendments with as Amendment.—

M^r. *William Randolph* reports That the perfons appointed together with a Committee of the Council had prepared an Addrefs to the Governour relating to the Security and defence of the Harbours which he read in his place and afterwards delivered the Same in at the Table where it was again read and agreed to with an Amendment.—

Ordered

That the Members of this Houfe who prepared the Said Addrefs do carry the Same to the Council and defire their Concurrence thereto—

Then the Houfe upon a Motion was called over.

Ordered

That M^r. *Harwood* be fent for in Cufody to attend the Service of the Houfe and that the Speaker iffue his warrant accordingly.—

Then the Queftion was put

That the Addrefs to his Majefty be Signed by the whole Houfe.

Resolved

In the Affirmative—

Ordered

That the Same be Signed accordingly.

The Houfe then took into their Confideration the Amendments made by the Governour and Council to the Refolves of the fourteenth. of *December* touching the Soliciting of certain affairs in *Great Britain*—

The amendment propofed by the Council being for Inferting (the Liev^t. Governour Council and Burgeffes of) after the word (by) in the laft line of the firft of the Said Refolves was read and agreed to—

The amendment propofed by the Govern^r to the Said Refolves being, That the Inftuctions to be given in purfuance of the Said Refolves be figned by the Governour and that the Solicitor enter into Bond to the Governour not to meddle in *Great Britain* with any other affair of this Government than what fhall be contain'd in his faid Inftuctions was read.

Resolved

That this Houfe cannot agree to the Said Amendment

Resolved

That a Committee be appointed to draw up a meflage to the Governour to acquaint him that this Houfe cannot agree to the Said amendment and It is referd to M^r. *Corbin* M^r. *Blair*, M^r. *Merewether* M^r. *Efcridge* M^r. *Burwell* M^r. *Braxton* and M^r. *Willis*—

Ordered

That M^r. *M^cCarty* be added to the Committee of Propofitions and Grievances

Ordered

That M^r. *Boufh* M^r. *Broadnax*, M^r. *Walke*, M^r. *James Ball* M^r. *Teackle* and M^r. *Wilfon* do Examine the Inrolled Bills.

A Meflage from the Governour and Council That they have paffed the Book of Claimes and the Treafurers Accounts.

A Message from the Governour and Council That they have agreed to the Resolves of this House for paying to Cap^t *Martin* the Sum of Two hundred pounds and for distributing the Sum of Two hundred pounds among those persons or the Widowes of any of them who went under him to S^t *Augustine*

Ordered

That a Committee be appointed to proportion the Several Tobacco Claimes allowed in the book of Claimes of the last Session and this Session of Assembly of the following persons.—

M^r *Will^m Randolph* M^r *James Ball*

M^r *Eschridge*

M^r *Tho. Randolph.*

M^r *Corbin* acquainted the House That Cap^t *Martin* desired them to accept of his most humble Thanks for the favour they had done him—

Adjourned til Eleven a Clock to morrow morning—

Wednesday December the 21st 1720.

A MESSAGE from the Council That they have made an amendment in the Address to the Governour relating to the Defence and Security of the Harbours in this Colony.—

And that they cannot agree to the Amendment proposed by this House to the Amendment made by them to the Bill Intituled *an Act further declaring what shall be a Sufficient Seating planting Cultivating and Improving Lands.*

Resolved

That the Money allowances in the book of Claimes be paid out of the money in the hands of the Treasurer.

Resolved

That the Sum of five shillings out of the money in the Treasurers hands be paid to the Clerk of the House of Burgesses for the Copy of the proportions of this Session to be Sent to the respective Countys in this Colony amounting in the whole to Six pounds five shillings and that the Governour be desired to Issue his Warrant for the Said Sum.—

Ordered

That M^r *Blair* M^r *Merewether*, M^r *Waller* and M^r *Boush*, do carry the Said Resolves to the Governour and Council and desire their assent and Concurrence thereto.—

M^r *Corbin* reports That the persons appointed had according to order prepared a message to the Governour to acquaint him That this House cannot agree to the Amendment proposed by him to the Resolve of this House touching the Soliciting certain Affaires in *Great Britain* which he read in his place and afterwards delivered the Same in at the Table where the Same was again read and agreed to with Some Amendments as follows.

By the House of Burgesses

To the Honorable Alexander Spotswood Lieut. Govern^r of Virginia

SIR

Having taken into our consideration the Message Sent us by yo^r Hono^r the 20th Instant as an Amendment proposed by your Honour to some Resolves made in this House the 14th Instant to beg leave to offer Some few Reasons of many why we cannot agree to that addition to our Resolves. As to the first part we do conceive That the Resolve is so plain and direct That there cannot want any Additional Instructions to the person Impowered to Solicite, because in that Resolve as it is agreed to by the Council and Burgesses he is appointed only for the purposes therein mentioned. and Such other matters as may be agreed by your Honour, the Council and Burgesses of this Assembly So that what is there mentioned and what shall hereafter be agreed to by Your Honour the Council and this House of Burgesses We conceive must be his Instructions, and he has not licence nor Authority to go beyond that; And as to that part of Your Hon^r Message which mentions his giving Bond. We most Sincerely assure Yo^r Honour that

we

we are intirely ignorant of any other affaires relating to this Government Intended to be by him medled in, and that We do not desire he should Ingage in any, But as Your Honour knows this Gentleman Mr. Byrd is One of the Council has a very valuable Estate in this Country and did before the Meeting of this Affembly. design Speedily for *Britain* And for these and other Reasons You Your Self Sir have Since these matters to be Solicited were in Agitation named him as a fit person to be used in these affaires. We do humbly hope you will not now deprive the Country of a person so capable and in all respects most proper for this Imployment by Insisting on the proposed Addition to our Resolve which if added We have just reason to believe will prevent his Ingaging in that Service for this Country Wherefore We do most humbly and Earnestly beseech your Honour to give your Assent to those Resolves as they are now agreed to by the Council and Burgeesses.

Ordered

That the Said Message be fairly transcribed and Signed by the Speaker and that the Committee of Propositions and Grievances do carry the Same to the Governour.—

Ordered

That the Said Committee do acquaint the Council That this House have agreed to the Amendment made by them to the Resolve touching the Soliciting certain affaires in *Great Britain*—

Resolved

That the Governour be desired to Issue his Warrant to the Treasurer, for paying to the Speaker of this House a Sum not Exceeding two thousand pounds, and that he pay to the respective Burgeesses their Salaries for this Session according to a former Resolve of this House and do account to the next Affembly for the Same—

Ordered

That the Committee of Propositions and Grievances do carry the Said Resolve to the Governour and Council and desire their Assent and Concurrence thereto—

Resolved

That this House doth Recede from the Amendment proposed by them to the amendment made by the Council to the Bill intituled *an act further declaring what shall be accounted a Sufficient Seating, planting Cultivating and Improving Lands.*—

Ordered

That the Committee of Propositions and Grievances do acquaint the Council That this House doth Recede from the Said Amendment.—

The Amendment made by the Council in the address to the Governour Relating to the defence and Security of the Harbours in this Colony, being read was agreed to. And the Said address as in these words.—

To the Hon^{ble} Alexander Spotswood his Majest^y. Lieut. Govern^r. and Commander in Chief of Virginia.

The humble Address of the Council and Burgeess^s.

SIR

We his Majesties most dutiful and Loyal Subjects the Council and Burgeesses of this present Affembly being justly alarmed at the frequent Piracys committed upon our Coast, and finding that Privateers grown bolder by Success, have ventured within our Capes and taken Ships in Sight of our Harbours, Do humbly Intreat your Honour to lay before the Right Hon^{ble} the Lords Commiss^{rs} for Executing the Office of Lord high Admiral the great danger to which the Trade of this and the Neighbouring Province of *Maryland* is Exposed—how much his Majesties Customs are thereby diminished, and the Navigation to and from *Great Britain* interrupted, as well as that of his Majesties other plantations

To remedy these misfortunes we humbly propose That their Lordships be pleased, instead of a Sixth rate Man of Warr to Send hither One of about forty Guns to attend this Station that may be able to guard our Coast from pirates or privateers of the greatest force, And because piratical Vessels of less Burthen can run into Shoal Water where

where his Majesties Ships of War cannot pursue them without danger. We beg your Honor will interceed with their Lordships to Send hither likewise a man of War Sloop that may be able to follow and attack these Enemys of Mankind in all their places of Retreat where now they account themselves secure.

And because the Commanders of his Majesties Ships have frequently deserted the Station which they were sent on purpose to protect, and under pretence of Strefs of Weather have Sailed to *Barbadoes New York* or Some of the other Plantations upon their own private Buiness We beseech your Honor to represent this great abuse to their Lordships that thereby they may be induced to give Such Effectual Orders to the Captaines of the Men of War that they may not on any pretence whatsoever abandon that Station which their Lordships Shall assign them, and while they continue in it That they be under the Orders of his Majesties Governour for the time being.—

And if there be any other Expedient, which your Honor in your great Prudence shall judge necessary for the better Guarding of our Coast. or the protecting of our Trade, we humbly pray That you will be pleased to lay it before their Lordships and we doubt not Sir but the happiest Success will attend your powerful Intercession

Ordered

That the Speaker do sign the Several Addressses of the Council and this House to the Governour, relating to the Treaty with the Northern Indians and the defence and Security of the Harbours in this Colony And that the Committee of Propositions and Grievances do carry the Same to the Council.—

Ordered

That the Said Addresss be presented by the whole House—

A petition of *James Shields* praying an Allowance for sending into *Westmorland* to take the Sheriff of that County into Custody was read

Resolved

That the Same be Rejected

The Several Petitions following were read

A Petition of Sundry Inhabitants of *Wilmington* Parish praying that the Same may be dissolved and united to other Parishes.—

A Petition of Sundry Inhabitants of *James City* Parish, praying that part of *Wilmington* parish may be added to their parish.—

Resolved

That the Said Petitions be Refer'd to the Consideration of the next Session of Assembly.—

Ordered

That the Clerk prepare a Duplicate of the addresss to his Majesty and that the Same be Signed by the Speaker.—

Mr. *William Randolph* reports that the persons appointed had according to Order proportioned the Publick Levy which amounts to five pounds of Tobacco per poll and that they had entered the Several Proportions in a Book which he delivered in at the Table and the same was read and agreed to.—

A Message from the Council That their President in behalf of them had Signed the Addressses to the Governor and that they have appointed three of their Members to Join with Such of the Members of this House as shall be appointed to wait on the Governour to know his pleasure when he will be attended with the Said addressses.—

Ordered

That Mr. *Corbin*, Mr. *Waller* Mr. *Stith*, Mr. *Thomas Randolph*, Mr. *Teackle* and Mr. *Presly* do, together with the Three Members of the Council wait on the Governour to know his pleasure when he will be attended with the Said Addressses.

A Bill for raising a Publick Levy was read the first and Second time—

Resolved

That the Same be Ingrossed.

Adjourned til to morrow morning Eleven a Clock.—

Thursday

Thursday December the 22^d 1720.

ORDERED

That the Committee of Propositions and Grievances do carry the Duplicate of the Address to his Majesty, to the Council and acquaint them That It is Signed by the Speaker of this House, and desire them to Sign it, and to inform this House when they will Send Messengers to wait on the Govern^r to know his pleasure when he will be attended by the Council and this House with the Said Address.—

M^r *Corbin* reports That the persons appointed Together with a Committee of the Council had waited on the Governour to know his pleasure when he will be attended with the Addressees of the Council and this house relating to the Treaty with the Northern Indians, and the defence and Security of the Harbours and that he was pleased to appoint this day at One a Clock in the Council Chamber.

Ordered

That the report of the Committee of Elections and Priviledges made on the Petition of Sundry Inhabitants of *Essex* County complaining of hardships Imposed on them by the Militia Court lately held in the said County, be referd to the consideration of the next Session of Assembly.

A Bill intituled *an Act for raising a Publick Levy* was read the Third time.

Resolved

That the Bill do pass.—

Ordered

That the Committee of Propositions do carry the Said Bill to the Council and desire their Concurrence thereto—

Ordered

That the Said Committee do carry the Book of Proportions to the Governour and Council and desire their Assent and Concurrence thereto.—

M^r *Clayton* reports from the Committee of Propositions and Grievances That they had had under their Consideration Sever^l matters to them referd and had agreed upon a report which he read in his place and afterwards delivered the Same in at the Table where the Same was again read and it is as follows.

The Committee being ordered by this House to prepare and bring in a Bill, to oblige the severall proprietors of the Several Tracts of Land called *Brent Town*. The Tract now belonging to M^r *Henry ffitzhugh* the younger, and the Tract belonging to *Edward Jefferys* Esq^r in the County of *Stafford*, to Survey the Said Severall Tracts of Land within three yeares or on failure thereof, That any person shall be at Liberty to enter for and hold the Same, and finding many difficulties attend the Same—

Resolved

That the Same be Referd to the Consideration of the next Session of Assembly.—

Upon consideration of the Petition from *Stafford* County praying an Inspection into the Proprietors Office and complaining of many Irregularitys therein.—

Resolved

That the Same will be proper to be considered when the said Bill shall be prepared.—

The Committee being ordered by this House to prepare and bring in a Bill for amending the Act concerning Servants and Slaves, as also to provide for the matters in the Memorial of *John Broadnax* deceased, and having found many difficulties to attend doing thereof have

Resolved

That the Same be refer'd to the consideration of the next Session of Assembly.

The Said report being again read

Resolved

That this House doth agree with the Committee. That the Said Several matters be refer'd to the Consideration of the next Session of Assembly.—

The

The House attended the Governour, And being returned Mr. *Speaker* reported That he had presented the Address of the Council and this House relating to the Treaty with the Northern Indians, to the Governour. And that he was pleased to make this Answer—

*Gentlemen of the Council
and House of Burgeffes.*

I can be at no Loss how to Act when you are Unanimous in your advice, and I shall Endeavour to Satisfy their Lordships of the reasonableness of your Opinion now given.—

And that he had likewise presented the address of the Council and this House Relating to the Security and defence of the Harbours in this Colony to the Governor. To which he returned this Answer

Gentlemen,

My Sentiments do in a great measure Concur with yours and So far I shall Second your Opinion with all the force which my Representations can have at home.—

A Message from the Governour and Council That they have Assented and agreed to the Resolves of this House of Yesterday for paying the Money Allowances in the book of Claims out of the Money in the Treasurers hands And for paying to the Clerk of this House Six pounds five Shillings for the Copies of the Proportions of this Session to be sent to the respective Counties

A Message from the Council That they have appointed four of their Members to Joyn with Such of the Members of this House as shall be appointed to wait on the Govern^r to know when he will be attended with the Address to his Majesty.—

Ordered

That the Committee of Propositions and Grievances together with the Said Members of the Council do wait on the Governour to know his pleasure when he will be attended with the said Address

Mr. *Clayton* Reports That the persons appointed had accordingly waited on the Governour and that he was pleased to say he wou'd Receive that Address when the House should attend him with the Bills—

A Message from the Governour and Council That they have assented and agreed to the Book of Proportions.—

A Message from the Council That they have passed the Bill.—Intituled *an Act for Raising a Publick Levy.*

Mr. *Boush* reports That the persons appointed had Examined the Inrolled Bills and that the same were truly Inrolled.

Ordered

That the persons who Examined the said Bills do carry the same to the Council, for their Inspection.—

A Message from the Council That they are Satisfied the Bills are truly Inrolled.

Adjourned til to Morrow Eleven a Clock in the Morning

Fryday December the 23^d 1720.

A WRITTEN Message from the Governor was delivered by Mr. *Robinson*.—
*Mr. Speaker and Gentlemen
of the House of Burgeffes*

Your Message relating to the Resolves of your House for appointing a Solicitor Engages me to Shew Reasons for the Amendment which I proposed thereto whereupon I do assure you that the Principal Motive to my requiring such a Restraint to be laid on whatever person should be appointed under that Character was in Order to take away Temptation from unquiet Spirits who might be Disposed to Sow again the Seeds of Contention, and were I to enter upon displaying some past Transactions they would

would mainly serve my purpose in the present Argument. But I will confine my Self to the Terms of our Union by forbearing to touch upon any former differences.—

You will have it that the Resolve which you and the Council have agreed to is plain and direct enough to Serve for your Solicitors whole Instructions, but surely you will not maintain that an acceptance of an address is to pass for an Assent to every part thereof and you may observe that I yesterday answered, That my Sentiments did (not altogether but) in a great measure Concur with yours So that I hope you will upon Second Thoughts find it Expedient to make the Amendment I proposed and not deem any thing to be Instructions from the General Assembly until the Governour has Signed them—

As to the other part of the Amendment concerning the Bond to be given for Acting in the affaires of this Government no otherwife than pursuant to his Instructions. I shall make out the reasonableness of my Demand by comparing it with the constant practice in matters of an higher nature; for upon Examination you will scarce find any person bearing Office in these plantations who is obliged to be appointed or approved of by the King or by the Commiss^{rs} of the Treasury or Customs) but he has given Bond for the due Execution of his Trust And I herewith Send you a late Original Order of his Majesty in Council with a Copy of the Bond which I was thereby required to take from the President of *Maryland* whereby you may observe That even Governors themselves give Bond for their duly acting according to their Instructions and I never heard of any that refused the Trust offered them as taking Offence at Security being demanded of Men of their worth Capacity or Integrity.—

I am a little Surprised that you as an House Shoud tel me that I my Self had named M^r. Byrd as a fit person to be used in these Affaires agreed to I am certain Such nomination doth not appear from any Speech or Message of mine, or from any other Communication that I have had with the General Assembly. But if in a Parliamentary way of proceeding we might ground any thing upon private Conversation or Debates I have as proper an Article to ballance the account and could also tell you that I overheard One of the most Zealous Advocates for the proposed Solicitor Argue that he ought to be well paid because he run a great deal of hazard in Exposing himself to the Resentments of the Governour—

But as neither you nor I ought to take notice of Discourses of this kind I will without drawing any Inferences from unguarded Arguments come to the point and tel you.—

When I reflect how often Agents from Assemblies here have been rejected by the Crown, and gather from the Representations which I now send you for your Information what Sense the Ministry at home have of Such like appointments I think that upon the Conditions which I have propos^d I condescend as far as I safely can to agree to a Solicitor and therefore I must adhere to my Amendment.—

Several Papers in the said Message Referd to were read

Resolved

That this House do now Resolve it self into a Committee of the whole House to consider the Said message.—

The House accordingly Resolved it Self into a Committee of the whole House—

M^r. *Speaker* left the Chair

M^r. *Clayton* took the Chair of the Com^{tee}

M^r. *Speaker* Resumed the Chair

M^r. *Clayton* reports from the said Com^{tee} That they had had under their consideration the Governours written Message relating to the Resolves of this House for appointing a Solicitor in *Great Britain* and had agreed upon a report which he read in his place and afterwards delivered the same in at the Table where the same was again read and part thereof agreed to as follows.

Resolved

That the Amendment proposed and adhered to by the Governour be not agreed to.

A written Message from the Governour was delivered by Mr. *Robertson*.
Mr. Speaker and Gentlemen
of the House of Burgeffes.

It is with the greatest Reluctancy I offer any thing at this time which may give any Delay to your Separation—but the Express Commands of my Sovereign oblige me to remind you of that affair which has now depended during three Sessions of Assembly without any determination tho' it has been particularly recommended by his Majesty.—

You may observe in the Journals of your House that in *April 1718*. I particularly took notice of his Majesty's Commands for Reimbursing to the late *Virg^t* Indian Company what Charge and Expence they had laid out during their Continuance for the publick benefit And in pursuance of that Recommendation an Account was laid before the then House of Burgeffes and Resolves passed for payment of some Articles in that Account, but no payments directed in pursuance of those Resolves.—

In the next Session a new Petition was Exhibited for obtaining the payment of what the former Session had resolved to Discharge, and a further Consideration of the Articles in the Account but that too was referd til the next Session—

During your present Session that matter has again come under consideration and refer'd to a Committee but some difficulties appearing to them how much of the said Indian Company's Account was Expended on the Faith of the Government, application was made to the Council for ascertaining that Charge, and tho' the Council Judging Your House would not have Sufficient time to Examine those accounts this Session have put off the Consideration thereof til further time yet they have so far proceeded thereon that a Separate Account of what the said Company Expended on the faith of the Government has been drawn out and Examined by a Committee of the Council and is now ready for your Perusal.—

Wherefore That his Majesty's Recommendation may not appear to be any longer Slighted I herewith Send you the said Account and report of the Committee of Council and do again recommend to you to come to Some Determination as well upon this as the other Articles laid before you.—That in case you shall be of Opinion for disallowing any of the Expences which the Said late Company have been at for the publick benefit they may be at Liberty to apply again to his Majesty for Such Reparation of the Losses they have Sustained as his Majesty shall judge reasonable.—

December 23^d 1720

A. Spotfwood.

Resolved

That this House cannot proceed to the consideration of the matters contained in the Said Message the Same being now before the Council and undetermined—

Resolved

That the Speaker do pay the fifty two Members of this House for their attendance this Session out of the Sum of Two Thousand pounds appropriated for that purpose.—

A Message from the Governour was delivered by Mr. *Robertson*.—

Mr. Speaker.

The Governour commands the Immediate attendance of this House in the Council Chamber and that you bring with you the Several Inrolled Bills

The House accordingly went up to attend the Governour in the Council Chamber where he was pleased to give his Assent to the Several Publick and private Bills following

An Act for Erecting the Countys of Spotsylvania and Brunswick and granting certain Exemptions and Benefits to the Inhabitants thereof.—

An Act for the better discovery and Securing of his Majesty's Quit Rents

An Act Explaining and declaring what shall be accounted a Sufficient Seating and Improvement to Save Lands from Lapping and for the better Recovery of Lands Lapped from persons living out of the Country.—

An Act for Supply of certain Defects found in an Act prescribing the method of appointing Sheriffs.—

An

An Act for the more Effectual preventing the Tending of Seconds

An Act giving a Reward for killing of Wolves and repealing all other Acts relating thereto—

An Act for Explaining and amending an Act entituled an Act for appointing Rolling Houses and Publick Landings and ascertaining the prices of Storage—

An Act for Setting New fferrys over Pamunkey, Matapony and Potomack Rivers and for ascertaining the Rates for Wheel Carryages

An Act for raising a Publick Levy.—

An Act for dividing St. Johns Parish in the County of King W^m

An Act for Enlarging Charles City County and for Consolidating those parts of the Parishes of Westopher and Waynoak on the North Side James River and that part of Wallingford parish on the West Side Chicohominy River.

An Act to divide those parts of the Parishes of Westopher and Weynoak which ly on the South Side of James River from those parts of the Said Parishes which ly on the North side the Said River and for Uniting Westopher and Waynoak Parishes on the South side James River to Martin Brandon Parish in the County of Prince George and for Erecting a Chappel in Bristol Parish—

An Act for dividing the parish of Henrico in the County of Henrico.

An Act dividing Richmond County—

An Act for dividing New Kent County—

An Act to Impower Henry Cary Gent. to finish the House of the Governour of the Colony and Dominion of Virginia.—

An Act for altering the day for Northampton County Court

An Act to Enable Abraham Cock to Sell certain Intailed Lands and for Setting other Lands to the Same uses.—

The Governour likewise passed the Refolve for paying the Burgeffes and Charges of this Asssembly in Mony and the [n] made the following Speech—

Gentlemen of the Council

and House of Burgeffes:

I shall lay hold on the first fair Opertunity to Tranfmit this your Address to his Majesty, and the most powerful Intercession that I can make shall attend it, And now Gentlemen, I am come to put an End to this Session of Asssembly. A Session wherein We have agreed on Several considerable matters which I Trust will Tend to the Advantage of this Colony and therefore I take my leave of you with abundant Satisfaction hoping that the next time we meet we shall accord Stil more and more in our Sentiments.—

And So I Prorogue you to the Seventh day of November next And this General Asssembly is accordingly prorogued.

JOURNAL

OF THE

HOUSE OF BURGESSES

AT A

GENERAL ASSEMBLY

Begun at his Majesties Royal Capitol in the City of WILLIAMSBURGH the second day of *November* In the Seventh year of the Reign of our Soverain Lord GEORGE By the Grace of God of *Great Britain ffrance and Ireland* King Defender of the ffaith &c. And in the year of our Lord 1720 And from thence continued by several Prorogations to the ninth day of *May*. In the eighth year of the Reign of our said Soverain Lord GEORGE &c. And in the year of our Lord One Thousand Seven hundred and Twenty Two being the Second Session of this present Assembly.



RICHMOND, VIRGINIA.

MCMXI.

JOURNAL

OF THE

HOUSE OF BURGESSES

Wednesday May the 9th 1722.

A MESSAGE from the Governor by M^r. *Robertson*
M^r. *Speaker*.

The Governor commands the immediate Attendance of this House in the Council Chamber.

And accordingly M^r. *Speaker* with the House went up to attend the Governor.

And M^r. *Speaker* with the house returning M^r. *Speaker* reports That he had attended the Governor who was pleased to make a Speech and to the end he might not misrepeat him he had procured a Copy thereof which he read to the House and is as follows.—

Gent. of the Council and House of Burgeffs:

So soon as I understood that our Soverain had proposed and the *British* Parliament had resolved to enter upon measures for Rendering these Plantations still more useful and advantageous to their Mother Country I could not but judge it requisite That you should meet in General Assembly for tho' the Parliaments Encouragements may greatly prompt People in these parts to Bend their Industry towards raising Naval Stores Yet if you should likewise think fit to apply your Attention to waies and means for promoting the same Ends. I should not doubt of Your falling on Some Additional Encouragements more peculiarly adapted to the Circumstances of this Colony which might further induce our Inhabitants to answer his Majesties most gracious Intentions.—

Since your last Session there have been certain Transactions between this Government and the Indians of the five Nations the particulars whereof are ready to be laid before you and I question not but you'll find the course of our Negotiations that I have acted conformably to your Sentiments and especially to those which you unanimously declared in your late address on that Subject and I presume the Answer which we have at length obtain'd from those Indians in a Solemn Conference held at *Albany* in *September* last will be deemed by you to be so satisfactory that you must think this Governments in the right to conclude upon Sending Commissioners to *Albany* as I have promised to do Some time this Summer.—

And tho' you formerly declared against advising or Enabling me to treat with those five Nations at *Albany* until a Satisfactory Answer was returned to the Preliminary Articles insisted on by *Virginia* yet Since they are plainly agreed to I hope you will now contribute your assistance in Such a maner as may make the intended Embassy not only prove effectual but also appear Suitable to the Dignity of his Majesties first and most antient Colony in *America* by engaging Men of distinguished parts and figure to undertake a Negotiation which may according as it is managed lay a lasting foundation for the Peace and Tranquility of our frontiers. And indeed there are some nice points to be handled by our Commissioners which you will observe (by the Papers laid before

before you) this Governmt has referred to be discussed in the promised meeting at Albany.

Gentl. of the House of Burgesjes.

I flatter myself that the supply I ask of you upon this Account will be the more readily granted when you consider the Several formidable works which have been made Since the last Session for the Security of your Rivers and which the whole Council advised as needful precautions against Pirates while the same desperate Crew that had a little before destroyed all the Shipping at *Trepassy* in *Newfound Land* did publicly threaten to come and do the Same in *Virginia* besides the *S^t. Augustin's* Expedition (which received a Sufficient Testimony of yo^r approbation. And the many Extraordinary Courts held of late years for trying Pirates and other Malefactors have occasioned Such considerable Draughts on the Established Revenue that I apprehend it will hardly be able to bear the Expence of the intended Treaty without some present assistance from you—

The proposal you made for a Lighthouse at Cape *Henry* has been according to your Desire Communicated to the Government of *Maryland*, and after I have laid before you the Answer from the Assembly of that Province I shall leave you to Judge how inclinable they are to Concur with you in So Beneficial a work.

Gentl. of the Council and House of Burgesjes.

I shall avoid offering much business to your consideration at a Season of the year when I'm persuaded a short Session would be most acceptable to you and therefore I shall add no more to your present Consultations than One weighty Concern which I think highly deserves your Attention and that is to Establish Some wholsom Rules whereby those in the Administration here may legally act upon any apparent approach of that fatal Contagion which rages in Some parts of *Europe*—

Ordered.

That all Committees of the last Session be revived and that they have Power to adjourn from day to day and to Send for Such persons papers and Records as they shall from time to time think necessary—

Ordered

That M^r. *Pole* do attend the Committee for Propositions and Grievances as Clerk of the Said Committee

Resolved

That an Address be made to the Governor upon his Speech to this house and that the Committee of Propositions and Grievances do prepare the Same.—

Resolved

That this House will take the Governors Speech into consideration on *friday* next.

Miles Cary upon his Petition is appointed Clerk of the Com^{tee} for privileges and Elections and the Committee for Public Claims.

A Message from the Governor by M^r. *Robertson*—

M^r. *Speaker*—

I am commanded by the Governor to deliver to this House the Several Papers mentioned in his Speech.—

Upon the Petition of *Henry Swinfen* Clerc. he is appointed Chaplain to this House and

Ordered—

That he attend every morning at ten a Clock in the Conference Chamber.

Nich^s. Wager upon his Petition is appointed One of the Door keepers to this House.—

Resolved

That all propositions Grievances and Public Claims be brought into the House by *friday* next or otherwise that they be not received this Session.—without particular leave of the House.—

Resolved

That the orders of the last Session of Assembly do continue standing Orders of the House this Session.—

M^r Blair laid before the House the Accounts of the persons Intrusted with the Sum of One hundred and fifty pounds given by the last Assembly towards the making of Causeways and Repairing the Streets in the City of *Williamsburg*.—

Resolved

That the said Accounts be referd to the Committee for Public Claimes to Examine the Same and report their Opinions thereupon to the House.

Several Claimes from the Counties of *Hanover, Richmond, Prince George, King George, Isle Wight, Elizabeth City, and York* were presented to the House.

Resolved

That the Said Claims be referd to the Committee for Public Claimes to Examine the Same and report their Opinions thereupon to the House

A Proposition from Sundry Inhabitants of the County of *York* against Striking of fish was presented to the House.—

Resolved

That the same be refer'd to the Committee for Propositions and Grievances to Examine the matter thereof and report the Same with their Opinions therein to the House.—

Ordered

That the Committee for Propositions and Grievances do Inspect the Journal of the last Session and report to the House what they find therein necessary to be considered this Session—

Ordered

That the Said Committee do Inspect Such Acts of Assembly as are lately expired or near Expiring and report their Opinions therein to the House—

Ordered

That the Committee for Publick Claimes do Inspect the report of the said Committee at the last Session and report what they find therein necessary to be considered this Session—

Ordered

That M^r *Braxton, M^r Willis, and M^r Presly* do wait upon the Governor and desire him to Issue out New writs for the Electing of Members to Serve in this present General Assembly for the County of *Accomack* in the room of *John Teacle* gen. deceased.

As also for the County of *Gloucester* in the room of *Nathaniel Burwell* gent. deceased.

As also for the County of *King and Queen* in the room of *Robert Beverley* Gentl. deceased.—

As also for the County of *Northampton* in the room of *William Waters* gen deceased.

And also for the County of *Warwick* in the room of *James Roscow* Esq^r deceased.—

Adjourned till Ten a Clock to morrow morning.

Thursday May the 10th 1722.

SEVERAL Claimes from the Counties of *James City, Warwick King and Queen, Middx. Norfolk King William, Charles City Princess Ann Henrico and Effex.* were presented to the House.

Resolved

That the said Claims be refer'd to the Committee for Public Claimes to Examine the same and report their Opinions therein to the House.

A Proposition from Sundry Inhabitants of the County of *Warwick* against Striking fish was presented to the House—

Resolved

That the same be refer'd to the Committee for Propositions and Grievances to Examine the matter thereof and report the Same with their Opinions therein to the House—

Ordered

Ordered

That M^r *Clayton* and M^r *Robinson* do acquaint the Governor and Council of the time appointed for the Chaplain of this House to read Prayers.

Ordered.

That a Com^{tee} be appointed to Inspect the Public Goal and to consider what additional building and repairs are necessary to be made for the more Safe and convenient keeping of the Prisoners committed to the Same and to compute the Charge thereof and to report the same to the House and It is Refer'd to M^r *Clayton*, M^r *Blair*, M^r *McCarty* M^r *Meriwether* and M^r *Waller*—

Resolved

That twenty five Members and the Speaker be sufficient to make a House and that fifteen and the Speaker be Sufficient to adjourn.—

A Petition of Sundry of the Justices of the Peace and freeholders of the County of *Effex* praying that a ferry may be appointed upon *Rapahanoc* River at *Robert Kays* plantation in the said County was presented to the House and read.

Resolved.

That the said Petition be referd to the Committee for Propositions and Grievances to Examine the matter thereof and report the Same with their Opinions therein to the House—

M^r *Corbin* reported from the Committee for Privileges and Elections that the Said Com^{tee} had had under their consideration the Several Returns of the writs for the Electing of Burgesses to Serve in this present Gen^l Assembly for the Counties of *Hanover* and *King George* and that it appear'd to the Said Committee That M^r *Nicholas Meriwether* and M^r *John Sym* are duly returned Burgesses to Serve in this present General Assembly for the County of *Hanover* but that M^r *Meriwether* was a Sitting Member for the County of *New Kent* before his Election for the said County of *Hanover*.—

And that it appeared to the said Committee That M^r *Nicholas Smith* and M^r *W^m Thornton* were returned Burgess^s to Serve in this present General Assembly for the County of *King George* but that the Sherif of the said County had Omitted the year of the reign name and Title of the King in his return and therefore the Said Committee were of Opinion that the said Sherif be Sent for in Custody to amend his Return.—

Then the House proceeded to the consideration of the Said report and after a Debate the Question was put.

That M^r *Meriwether* hath a Right to make his Election for which of the Said Counties he will Serve—

It passed in the Negative

Resolved.

That M^r *Meriwether* is duly returned a Burgess to Serve in this present General Assembly for the County of *Hanover* and ought to Serve for that County.

The House disagreed to the report of the Said Committee made upon the Return of the Sherif of *King George*. and

Ordered

That the Said Return be amended at the Table by the Clerk.

Ordered

That M^r *Meriwether* and M^r *Waller* do wait upon the Governor and desire him to Issue out a new writ for the Electing of Members to Serve in this present General Assembly for the County of *New Kent* in the room of *John Stanhope* gen deceased and *Nicholas Meriwether* gen who since his Election for the said County hath been returned a Burgess to Serve in this present Gen^l Assembly for the County of *Hanover*—

A Debate arising whether the Sum of Three hundred pounds should be paid to *W^m Bird Esq^r* according to a Resolve of the House of Burgesses in the year of our Lord 1718.

The Question was put That the Debate be adjourned.

The

The House divided

Yeas..... ²¹	} Speaker No. 5
Noes..... ²¹	

So it passed in the Negative—

Resolved upon the Question

That the Sum of Three hundred pounds be paid to *W^m Bird Esq^r* out of the Publick money in the hands of *Peter Beverley Esq^r* Treasr. according to a Resolve of the House of Burgeffes in the year of our Lord 1718—

Ordered

That *M^r M^cCarty*, *M^r Corbin*, *M^r Grymes*, *M^r Meriwether*, *M^r Harrison*, *M^r Blair*, *M^r Presfly*, *M^r Willis* and *M^r Braxton* do carry the said Resolve up to the Council and desire their Concurrence thereto—

Resolved

That an Address be made to the Governor humbly to desire his Assent to the said Resolve and to Issue his Warrant for the payment of the Said Sum and It is refer'd to *M^r M^cCarty*, *M^r Corbin*, *M^r Grymes*, *M^r Meriwether*, *M^r Harrison*, *M^r Blair*, *M^r Presfly*, *M^r Willis* and *M^r Braxton*.

Adjourned til Eleven a Clock to morrow morning.

Friday May the 11th 1722.

M*R. Clayton* reports That the persons appointed to prepare an Address to the Governor upon his Speech at the opening of this Session had accordingly prepared the Same which he read in his place and afterwards delivered it in at the table where the same was again read and agreed to and is as follows.

To the Hon^{ble} Alexander Spotfwood his Majest^y Lieut. Govern^r. and Commander in Chief of Virginia—

The humble Address of the House of Burgeffes.

May it please Your Honor.

His Majest^y most dutiful and Loyal Subjects the Burgeffes met now in Assembly humbly beg leave to render your Hon^r our hearty thanks for communicating to us those Important matters contained in your affectionate Speech at the Opening of this Session and to assure your Honor we will use our utmost diligence in answering the Several matters proposed therein—

We think ourselves oblig'd on this Occasion to Express the just Sence this House hath of the Extraordinary Care and application your Honor hath used in Settling the Preliminaries with the Indians of the five Nations.—

And as you have been pleased to Act conformably to the Sentiments of this House in your Negotiations thereupon we doubt not our Resolutions will Sufficiently Evince the great Weight your Honors Recommendation at all times hath with his Majesties faithfull Burgeffes.

Ordered

That the Said Address be signed by the Speaker and presented by the whole House—

Ordered

That the Com^{tee} for Propositions and Grievances, do wait upon the Governor and desire to know his pleasure when and where he wil be attended with the Said Address.

Several Claims from the Counties of *Lancaster* and *Westmorland* And Several Claims of the Sherif of *York County* and *James Adams* were presented to the House—

Resolved.

That the Said Claims be refer'd to the consideration of the Committee for Publick Claims to Examin the same and report their Opinions, thereupon to the House.—

The Several Petitions following were refer'd from the Govern^r and Council viz^t.

A Petition of the Vestry of the Parish of *Christ Church* in the County of *Middlex* praying to be Enabled to take proper measures for the inducing their Minister to continue in their parish.

A Petition of Sundry of the Inhabitants of the County of *King William* praying that the said County may be divided.

A Petition of Sundry other Inhabitants of the said County praying that the Said petition may be rejected.

Resolved.

That the said Petitions be refer'd to the consideration of the Committee for Propositions and Grievances to Examine the matter thereof, and report the same with their Opinions therein to the House.

Several Propositions from the Counties of *Hanover King William* and *King and Queen* were referd from the Governor and Council—

A Proposition and Grievance from the County of *Lancaster* were presented to the House.—

Resolved

That the said Propositions and Grievances be referd to the consideration of the Comtee for Propositions and Grievances to Examine the matter thereof and report the Same with their Opinions therein to the House—

The order for the day being read

Upon a motion.

Resolved

That the House will Resolve it Self into a Committee of the whole house to consider the Governors Speech—

M^r. *Speaker* left the Chair.

M^r. *Clayton* took the Chair of the Comtee

M^r. *Speaker* resumed the Chair

M^r. *Clayton* reports from the said Comtee That they had had under their Consideration Several parts of the Governors Speech and had made Some progress therein, but not having time to go thro' the Same had directed him to move for leave to Sit again

Resolved

That the House will again Resolve it Self into a Committee of the whole House to morrow to proceed further in the Consideration of the Governors Speech.

A Petition of *Francis Smith* praying to be Enabled to Sell certain Intailed Lands in the County of *Essex* upon his Setling other Lands in the *Spotsylvania* to the Same uses was presented to the House and read.

Ordered.

That a Committee be appointed to Examine the matter of the said Petition and report the Same with their Opinions therein to the House and It is refer'd to M^r. *Robinson*, M^r. *Nich^s Smith* M^r. *Esbridge*, M^r. *Covington* and M^r. *Hawkins*.

A Petition of *John Scot* the Younger praying an Allowance for a Negro woman Slave of the said Petitioner who being committed to the Goal of the County of *Surry* for felony was burnt in the Said Goal.—

Resolved

That the said Petition be refer'd to the consideration of the Comtee for Publick Claimes to Examine the matter thereof and Report the same with their Opinions therein to the House—

Ordered

That M^r. *Mumford* and M^r. *Nicholas Smith* be added to the Committee for public Claimes.

M^r. *Clayton* reports That the persons appointed to wait upon the Governor to know his pleasure when and where he will be attended by the House with their address had accordingly waited upon him and that he was pleased to appoint to morrow morning at ten a Clock in the Council Chamber.

Adjourned til nine a clock to morrow morning—

Saturday

Saturday May the 12th 1722.

A PETITION of *Charles Waller* praying to be paid for a White Servant lately convicted and Executed for felony was presented to the House and read.—
Resolved

That the said Petition be Refer'd to the consideration of the Com^{tee} for Public Claims to Examine the matter thereof and report the Same with their Opinion therein to the House.—

Mr. Speaker reports That he had attended the Governor with the Address of this House and that his Honor received it very courteously and was pleased to return this very kind Answer.—*vizt.* —

Mr. Speaker and Gentl. of the House of Burgesjes.

I kindly thank you for the hopes you give me of my recommendations having at all times Weight with your House and do assure you that on my part I am well disposed to gratifie you in all your Applications to me and shall be Anxious to support the authority and Credit of the House of Burgesjes. —

Several Claims from the Counties of *Nanaimond* and *Stafford* and a Claim of *James Shields* the Publick Goaler were with the leave of the House received—

Resolved

That the said Claimes be refer'd to the consideration of the Com^{tee} for Publick Claimes to Examine the Same and report their Opinions thereupon to the House—

The House according to order *Resolved* it self into a Com^{tee} of the whole house to procede further in the consideration of the Governors Speech and after Some time Spent therein—

Mr. Speaker resumed the Chair

And *Mr. Clayton* reported from the said Committee

That they had had Several parts of the said Speech under their consideration and had made a considerable progress therein but not having gone thro' the Same had directed him to move for leave to sit again.—

Resolved

That the House will on *Monday* next again *Resolve* it self into a Com^{tee} of the whole House to consider further of the said Speech.

A Petition of *Chicheley Corbin Thacker* praying to be allowed for Public Services Since the last time he was allowed for the same was referd from the Governor and Council.—

Resolved

That the said Petition be referd to the consideration of the Committee for Public Claims to Examine the matter thereof and report the Same with their Opinions therein to the House—

Adjourned til Eleven a Clock on *Monday* morning.

Monday May the 14th 1722.

M*R Robinson* reports That the persons appointed had according to Order Examined the matter of the Petition of *Francis Smith* and were of Opinion that the Allegations therein contained were true.

Resolved

That a Bill be prepared according to the prayer of the said Petition—

Ordered

That *Mr. Robinson* *Mr. Nicholas Smith* *Mr. Eschridge*. *Mr. Covington* and *Mr. Hawkins* do prepare and bring in the Same—

Mr. Clayton reports from the Committee for Propositions and Grievances That upon Inspecting the Journal of the last Session of Assembly It appeared to the Said Committee.

That the proposition from *Middx County* That Parish and County levies may be better paid and Delinquents prevented was referd to the consideration of this Session
of

of Assembly And the said Com^{tee} are of Opinion thereupon, That the matters therein contained are already provided for by Law and that the Said Proposition be rejected.—

That it appeared to the said Com^{tee} That the preparing and bringing in a bill to oblige the Several Proprietors of the Several Tracts of land called *Brent Town*, The Tract now belonging to Mr. *Henry Fitzhugh* and *Henry Fitzhugh* the Younger and the Tract belonging to *Edward Jefferies* Esq^r in the County of *Stafford* to Survey the said Several Tracts of land within three years Or on failure thereof that any person shall be at Liberty to Enter for and hold the Same was refer'd to the consideration of this Session of Assembly And the Petition of *Stafford* County praying an Inspection into the Proprietors Office and complaining of many Irregularities therein was refer'd to be considered when the Said Bill should be prepared.

And the said Committee are of Opinion That it is not necessary to proceed further thereon

That it further appeared to the said Committee That the preparing and bringing in a Bill for Amending the Act concerning Servants and Slaves

As also to provide for the matters in the Memorial of *John Broadnax* dec'd was refer'd to the consideration of this Session of Assembly.

And the said Com^{tee} are of Opinion thereupon That a Bill be now brought in for the purposes aforesaid.—

Then the House proceeded to the consideration of the said Report and the Same was twice read and agreed to—

Resolved

That a Bill be brought in for amending the Act concerning Servants and Slaves pursuant to the Said report and It is refer'd to the Com^{tee} for Propositions and Grievances to prepare and bring in the Said Bill

Mr. *Clayton* further reports from the said Com^{tee} That they had had under their consideration Several of the Propositions to them refer'd and had agreed upon a Vote which he read in his place and delivered in at the Table where the same was again twice read and agreed to as followeth.

Upon consideration of the Several Propositions from *King* and *Queen* [*King*] *William* and *Hanover* Counties complaining of frequent Murders Roberies Thefts and Escapes committed by Convicts Imported into this Colony and praying that a large Reward may be given by the Public for the apprehending such as shall commit such Crimes and that their Owners may be relieved And that a Law may be made to discourage the great Numbers Imported and to prevent Purchasers being Imposed upon by Masters of Shippes and Merchants who Sell Such Convicts as other Servants

Resolved

That the Same may be properly considered and remedied by the bill to be brought in to amend the Act concerning Servants and Slaves.—

Resolved

That the same be an Instruction to the Committee appointed to prepare the Said Bill.—

The House according to order Resolved it Self into a Committee of the whole House further to consider the Governors Speech and after some time Spent therein M^r *Speaker* Refused the Chair and M^r *Clayton* reported from the Said Committee That they had made a further progress in the consideration of the Said Speech but not having gone through it had directed him to move for leave to sit again—

Resolved.

That the House will again resolve it self into a Com^{tee} of the whole House to morrow further to consider the Said Speech—

Several Claimes from the County of *Gloster* were with the Leave of the House received.

Resolved.

That the said Claims be refer'd to the consideration of the Committee for Public Claims to Examin the same and report their Opinions therein to the House.—

Adjourned til Eleven a Clock tomorrow morning

Tuesday

Tuesday May the 15th 1722.

THE Several Claims following were with the Leave of the House received.—
Viz.

Claimes from the County of *Surry*.

A Claim of *Edmund Jennings Esq^r*

Claims of *Henry Briggs* and *Charles Kemball* Indian Interpreters

Ordered

That the said Claims be referd to the consideration of the Committee for Public Claims to Examine the Same and report their Opinions therein to the House—

A Petition of *John Blinco* praying to be enabled to Sell certain intailed Lands in the County of *Northumberland* upon his setling other Lands in the same County and a Negro to the same uses was presented to the House and read.—

Resolved

That the said Petition be refer'd to M^r *McCarty*, M^r *Eschridge* M^r *Presly* and M^r *Hack* to Examine the matter thereof and report the Same with their Opinions therein to the House.

Several Petitions following were presented to the House and read *viz*!—

A petition of *John Brush* praying an Allowance for the Damage he Sustained by a hurt recd in firing the Great Guns on the 28th of *May* last being the Anniversary of his Majest^y Birth—

A petition of *Richard Hickman* praying to be allowed his usual Salary and Expences for keeping the Capitol and Clock.

Resolved

That the said Petitions be refer'd to the consideration of the Com^{tee} for Public Claims to Examine the matter thereof and report the same with their Opinions therein to the House.—

A Petition of *Richard Hickman* praying that a new flag and Cushions may be provided for the Capitol was presented to the House and read

Ordered

That the s^d Petition do ly upon the Table.—

Several propositions from the County of *Surry* were refer'd from the Governor and Council.—

A Petition of Sundry Merchants and Traders in this Colony complaining of great Abuses in the Staple of Tobacco and praying that waies and means may be found to prevent the same was also refer'd from the Governor and Council—

Resolved.

That the same be refer'd to the consideration of the Com^{tee} for propositions and Grievances to Examine the matter thereof and report the same with their Opinions therein to the House.—

M^r *Harrison* Reports from the Com^{tee} for Public Claims that the said Committee had according to Order Examined the Accounts and Vouchers of the persons intrusted with the Sum of One hundred and fifty pounds given by the last Assembly towards the making of Causewaies and repairing the Streets in the City of *W^msburgh*. and that there is a Bailance of Seventeen pounds Two Shillings and Three pence due to M^r *John Holloway* thereupon—

Resolved

That the Said Sum of Seventeen pounds two shillings and Three pence be paid to M^r *Holloway* out of the money in the hands of *Peter Beverley Esq^r* Treasurer—

A Petition of Sundry Inhabitants of the City of *W^msburgh* praying a further Sum for the compleating and finishing the Causewaies and Repaires in the Streets of the said City—

Resolved

That the same be Rejected

M^r Clayton reports from the Committee for propositions and Grievances That the Said Com^{tee} had had under their Consideration Several Propositions to them refer'd and were come to Some resolutions thereupon which he read in his place and afterward delivered in at the Table where the Same was again read and agreed to as followeth.—

Upon consideration of the Proposition from *King* and *Queen* Counties That a Law be made against Idle persons that are not known Traveling without passes and that a reasonable Satisfaction may be given to Such as shall take them up.—

Resolved

That the same be rejected being already provided for.

Upon consideration of the Propositions from *King* and *Queen* and *Hannover* Counties That the heads of the Rivers that divide Two Counties and Creeks may be cleared and hedges being made cros the same prevented and that this Assembly will contribute Some convenient Sum of mony towards Such ends and purposes.

Resolved.

That where a River shall divide Two Counties the Courts of Each County be Impowered to levy Tobacco for doing Such work in proportion to the Number of Tithables and that the making hedges cros the same be prevented and those already made destroyed and that a Bill be prepared accordingly.

Resolved

That that part of the Proposition which relates to the Contribution of money towards Such work be rejected.

Upon consideration of the proposition from *Essex* County That a ferry may be appointed over *Rappahanoc* River from *Robt. Kays* Plantation in *Essex* County to M^r *Samuel Skinkers* plantation in *King George* County And.

Upon the consideration of the Proposition of *George Dabney* That a ferry be appointed from his Landing in *King William* County to the Opposite Landing in the County of *Hannover*.—

Resolved

That a Bill be prepared accordingly

Ordered

That the Committee for Propositions and Grievances do prepare and bring in the Said Bills.

Ordered.

That the Said Com^{tee} do bring in a Clause to be added to the Bill relating to the Said ferrie for the appointing a ferry from *Urbanna* in the County of *Middlex* over *Rapahanoc* River to *Chetwoods* in the County of *Lancaster* and a ferry from M^{rs} *Garlands* in the County of *Hanover* over the River *Pamunkey* to M^{rs} *Littlepages* Land in the County of *King William*.—

Resolved

That this House will Resolve it Self into a Com^{tee} of the whole House tomorrow further to confider the Governors Speech—

Adjourned til Eleven a Clock tomorrow morning.

Wednesday May the 16th 1722

CLAIMS from the County of *Northumberland* were with the Leave of the House received.—

Ordered

That the Said Claims be referd to the consideration of the Committee for Public Claimes to Examine the Same and report their Opinions therein to the House—

M^r *McCarty* reports That the persons appointed had according to order Examined the matter of the Petition of *John Blinco* and were of Opinion that the Allegations therein contain'd were true—

Ordered

Ordered

That Leave be given to bring in a Bill according to the Prayer of the Said Petition—

Ordered

That Mr *Harrison*, Mr *Bridger* and Mr *Waller* do carry the Refolve for paying the Sum of Seventeen pounds two Shillings and three pence to Mr *John Holloway* up to the Council and desire their Concurrence thereto.

Resolved.

That application be made to the Governor for his Assent to the said Refolve

Mr *Clayton* reports from the Com^{tee} for Propositions and Grievances That the said Committee had had under their consideration Several of the matters to them Referred and have agreed upon a Report which he read in his place and afterwards delivered in at the Table where the same was again read and agreed to as follows.

Upon consideration of the Propositions from *King* and *Queen* and *Hannover* Counties and the Representation of the Merchants, and Traders in this Colony relating to Traff Tobacco and that the abuses committed in packing and Damage Sustained by Rolling thereof may be prevented and none Planted after the last of *June* yearly.—

Resolved.

That it is necessary That a Bill be brought in to Redress the matters Complained of.

Upon consideration of the Proposition from *Surry* County That no person shall follow any Trade but what he hath Served a time to and but One Trade and that Such persons may not have Liberty to Plant Tobacco.

Resolved

That the Said Proposition be rejected.

Upon consideration of the Grievance from the Said County That Idle and dissolute persons are very burthenfome to the poorer Sort of People and praying remedy therein—

Resolved

That the Said Grievance be refer'd to the consideration of the next Session of Assembly.

Upon consideration of the Proposition from the Said County That the Law making Negro and other Slaves Reall Estate may be repealed.—

Resolved.

That the Said proposition be rejected

Upon consideration of the Grievances from *York* and *Warwick* Countys relating to Striking fish in the night by a Light and praying the Same may be prevented.

Resolved

That the said Grievances be rejected

Upon consideration of the proposition from *Hanover* County.

That the Burgeffs be paid out of the Public fund.

Resolved

That the said Proposition be rejected.

Upon consideration of the Grievance from *Hanover* County relating to the Bounds thereof being unascertained and praying the Same may be ascertained

Resolved

That the Surveyors of the Counties of *Hanover* and *Henrico* with Two persons to be appointed by the Courts of each of the said Counties Do lay out a dividing line for the said Counties at the Equal Charge of each County and that if they agree the same shall be marked for the Bounds of the Said Counties, But if they disagree that they make their report to the next Session of Assembly.—

Ordered

That the Committee for Propositions and Grievances do prepare and bring in a Bill pursuant to the Refolve of the Said Com^{tee} —

The House according to order Resolved it Self into a Committee of the whole house further to consider the Governors Speech—

And after some time spent therein—

Mr *Speaker* Resumed the Chair

And Mr *Clayton* Reported from the Said Committee

That they had gone thro the Said Speech and were come to Several Resolutions thereupon which he read in his place and delivered in at the Table where the Same was again read.—

Resolved

That the Said report be considered to morrow

Adjourned til Eleven a Clock tomorrow morning

Thursday May the 17th 1722.

SEVERAL Claimes from the Counties of *Effex* and *Accomack* were with the leave of the House received.

Ordered

That the Said Claims be refer'd to the consideration of the Committee for Public Claims to Examine the Same and report their Opinions therein to the House.—

A Bill for amending the Act concerning Servants and Slaves and for the better Government of Convicts Imported and for the further preventing the Clandestine Transportation of persons out of this Colony was read the first time—

Resolved

That the said Bill be read a Second time.

A Bill for Settling New ferries over *Rappahanoc* and *Pamunkey* Rivers was read the first time

Resolved.

That the Said Bill be read a Second time.—

A Bill to Enable *ffrancis Smith* to convey certain intailed lands to *John Spicer* gen. in fee simple upon the said *John Spicers* conveying other lands therein mentioned to the Same uses—was read the first time

Resolved

That the said Bill be read a Second time.—

A Bill for the amending the breed of Horses was read the first time

Resolved.

That the Said Bill be read a Second time—

The House proceeded to the consideration of the report of the Committee of the whole House made on the Governors Speech and the same being twice read part thereof was disagreed to and part agreed to by the House as follows.—

Resolved

That an Encouragement be given for the making of Naval Stores in this Colony.

Resolved

That Some Encouragement be given for the making of Hemp and Tar according to the directions of an Act of Parliament made in the Eighth year of the Reign of his present Majesty Intituled *an Act giving further Encouragement for the Importation of Naval Stores* and for other purposes therein mentioned.

Resolved

That the Governor be now Enabled to make the Intended Embassy to *Albany* this Summer in Such manner as may prove Effectual and also appear Suitable for the Dignity of this Colony.

That the Answer received from the Province of *Maryland* relating to the Resolves of the House of Burgesses at the last Session for the building of a Lighthouse upon Cape *Henry* doth not contain any sufficient reasons to Induce this House to treat with them any further thereupon—

Resolved

That a Bill be prepared for Establishing Rules whereby those in the Administration may legally act upon any apparent Approach of that fatal Contagion which rages in some parts of *Europe*—

Resolved

Resolved

That two shillings per Barrell be given for all Tar Exported which shall be made according to the directions of the Said Act of Parliament

Resolved

That four shillings shall be given for every Gross hundred of Hemp which shall be made in this Colony according to the direction of the said Act of Parliament.

Resolved

That no bounty be given upon Iron Cast in this Colony

Resolved Nemine Contradicente

That the Sum of One Thousand pounds be given the Governor to Enable him to make the intended Embassy to *Albany*.

Ordered

That the Committee for Propositions and Grievances do prepare and bring in a Bill for the Encouragement of Naval Stores pursuant to the said Resolves. And that it be an Instruction to the said Com^{tee} to bring in a Clause to be added to the said Bill for the making the Same Temporary.

Ordered

That the Committee for Propositions and Grievances do prepare and bring in a Bill to Establish Rules whereby those in the Administration may legally Act upon apparent approach of the Plague.

Ordered

That the Committee for Propositions and Grievances do carry the Resolve for giving One Thousand pound to the Governor as aforeaid up to the Council and desire their Concurrence thereto—

Resolved

That application be made to the Governor for his Assent to the said Resolve

Ordered

That Mr *Harriſon* have leave to go into the Country.—

A Petition of Sundry Inhabitants of *W^msburgh* praying That an Imposition may be laid upon the Owners of houses and Lands in the Said Town and parts adjacent or that Some other method may be taken for the Repairing the Highwaies in and about the said Town—

Resolved

That the said Petition be refer'd to the consideration of the Com^{tee} for Propositions and Grievances to Examine the matter thereof and report the Same with their Opinions therein to the House—

Adjorned til Eleven a Clock tomorrow morning.

Friday May the 18th 1722.

SEVERAL Claimes from the County of *New Kent* were with the Leave of the House received.

Ordered

That the Said Claims be referd to the consideration of the Com^{tee} for Publick Claims to Examine the Same and report their Opinions therein to the House.—

Ordered

That Mr *Lear*, Mr *Corbin*, and Mr *Braxton* have Leave to be absent til *Tuesday* next.

Mr *Clayton* reports from the Committee for Propositions and Grievances That the Said Com^{tee} had had under their consideration Several of the matters to them referd and had agreed upon a report which he read in his place and delivered in at the Table where the Same was again twice read and agreed to as follows

Upon consideration of the Proposition from *King* and *Queen* County That the fees of Country Surveyors may be distrained for or that they may have Liberty to dispose of the Surveys by them made to Such as will pay the Charges of the Same—

Resolved

Resolved

That the Said Proposition be Rejected.

Upon consideration of the Proposition from the Said County That a Reward may be given for killing Squirrells and Crows.

Resolved

That the said Proposition be Rejected.

Upon consideration of the Proposition from *King William* County That the Said County may be divided And upon consideration of the Petition of Several Inhabitants of the Said County praying the Said County may not be divided.—

Resolved

That the Same be refer'd to the consideration of the next Session of of Assembly.

A Bill for Settling new ferries over *Rapahanoc* and *Pamunkey* Rivers was read the Second time and Several Amendments were made therein.

Resolved

That the Bill with the Amendments be Ingrossed.

A Petition of *Miles Cary* Clerk of the Committee for Publick Claimes Setting forth that he is very sick and not able to perform the Duty of his Office and praying leave to Resign the Same to *Miles Cary junr* his son was presented to the House and read.—

Ordered

That *Miles Cary Junr* be admitted Clerk to the said Com^{tee} in the room of his father and that he give his attendance accordingly.

A Bill for amending the Act concerning Servants and Slaves and for the better Government of Convicts Imported and for the further preventing the Clandestine Transportation of persons out of this Colony was read the Second time—

Resolved

That the Bill be committed to the Committee for Propositions and Grievances.

A Bill to Enable *Francis Smith* to convey certain Intailed Lands to *John Spicer* Gent. in fee Simple upon the Said *John Spicers* Conveying other Lands therein mentioned to the Same Uses was read the Second time.

Resolved

That the Bill be ingrossed—

Adjorned til Eleven a Clock to morrow morning.—

Saturday May the 19th 1722

SEVERAL Claims from the County of *King* and *Queen* were with the leave of the House received

Ordered

That the Said Claims be referd to the consideration of the Committee for Public Claims to Examine the Same and report their Opinions therein to the House—

Mr *Clayton* reports from the Committee to whom the Bill for amending the Act concerning Servants and Slaves and for the better Government of Convicts Imported and for the further preventing the Clandestine Transportation of persons out of this Colony, was committed. Several Amendments made to the Bill which he read in his place and afterwards delivered the Same in at the Table where the Same was twice read and Severally agreed to—

Resolved

That the Bill with the Amendments be Ingrossed.

A Bill intituled *an Act for Settling New ferries over Rappahanock and Pamunkey Rivers* was read the third time and an Amendment was made therein.

Resolved

That the Bill as amended do pass.

Ordered

Ordered

That the Committee for Propositions and Grievances do carry the Said Bill to the Council and desire their Concurrence thereto—

A Bill intituled *an Act to Enable Francis Smith to convey certain Intailed Lands to John Spicer Gent. in fee Simple upon the Said John Spicers conveying other Lands therein mentioned to the Same Uses* was read the third time—

Resolved

That the Bill do pass—

Ordered

That the persons who prepared the Said Bill do carry the Same to the Council and desire their Concurrence thereto—

Mr Clayton reports that the persons appointed to Inspect the Public Goal and to Compute the Charge of the Additional Buildings and Repairs which they should find necessary for the more Safe and convenient keeping of Prisoners committed thereto had inspected the Same and agreed upon a report which he read in his place and afterwards delivered in at the Table where the same was again read.—

Ordered.

That the said report do ly upon the Table.

A Petition of Sundry Inhabitants of the Parish of *Christ Church* in the County of *Middsex* praying That no Act may pass for the Augmenting of their Ministers Salary according to a Petition of the Vestry of the Said Parish And that a Law may be made forbidding Vestries under a Penalty to levy more for the Clergy than Sixteen Thousand pound of Tobacco the Salary established by Law—was refer'd from the Governor and Council—

Resolved

That the Said Petition be refer'd to the Committee for Propositions and Grievances to Examine the matter thereof and report the Same with their Opinions therein to the House—

Adjourned til Eleven a Clock on *Monday* morning.—

Monday May the 21st 1722

A BILL intituled *an Act for amending the Act concerning Servants and Slaves and for the better Government of Convicts Imported and for the further preventing the Clandestine Transportation of persons out of this Colony* was read the third time—

Resolved

That the Bill do pass.—

Ordered

That the Committee for Propositions and Grievances do carry the Said Bill to the Council and desire their Concurrence thereto—

Adjourned til Eleven a Clock to Morrow Morning—

Tuesday May the 22^d 1722

A BILL to Enable *John Blinco* to Sell certain Intailed Lands upon his Setling other Lands to the Same uses was read the first time.

Resolved.

That the Bill be read a Second time.—

A Bill for the further Improving the Staple of Tobacco was read the first time—

Resolved.

That the Bill be read a Second time.

A Bill for the more effectual Clearing of Rivers and Creeks was read the first time.

Resolved

That the Bill be read a Second time—

A Bill for the building a Church in the Parish of *Accomack* was read the first time—

Resolved

That the Bill be read a Second time.

A Claim of *Catharine Craggs* was with the Leave of the House received

Ordered

That the Said Claim be referd to the consideration of the Committee for Public Claims to Examine the Same and report their Opinions therein to the House—

A Bill for the amending the breed of Horses was read the Second time—

Resolved

That the Bill be committed to Mr *Harrison*. Mr *Robinson* and Mr *Willis*—

A Petition of *John Bates* praying to be Enabled to Sell certain Intailed Lands for the payment of the Debts and Legacies of *John Bates* deceased his ffather, upon his Settling other Lands and Nergro's of Greater Value to the same uses was presented to the House and read.—

Ordered

That a Committee be appointed to Examin the matter of the Said Petition and Report the Same with their Opinions therein to the House and It is refer'd to Mr *Clayton*, Mr *Blair*, Mr *Thomas Randolph*, Mr *Lawrence Smith*, Mr *Stith* and Mr *John Thornton*—

Ordered

That Mr *W^m Randolph* have leave to be absent til *Monday* next.

The Treasurers Accounts were laid before the House—

Ordered

That the Same do ly upon the Table.

The House proceeded to the consideration of the Report of the Com^{tee} appointed to Inspect the Public Goal and the Same was read and is as follows.

The Com^{tee} appointed to Inspect the Public Goal have in pursuance of the Order of this House viewed the Goal appointed for keeping Criminals and also the Goal called the General Court Prison for Debtors thereto adjoining And are of Opinion that the Two roomes at the East end of the Criminals Goal, be appropriated for the keeping of Debtors, and the Two roomes at the West end of the Said Criminals Goal and the General Court prison for Debtors be appropriated for the keeping of Criminals.

They have also computed the Charge of making the alteration of the Said Prisons and do find the Same will amount to One hundred Thirty One Pounds

And for rendering the Said Prisons more Secure. It is the Opinion of this Committee That a House be built adjacent to the said Prisons for the abode of the Said keeper thereof with a Yard to be inclosed with a Wall of Brick so as to Enclose the South side of the said Prisons according to the Plan herewith offered to this House, the Charge of building which House and Wall they compute wil amount to £ 228.

Resolved

That a Bill be prepared for the making the alterations in the Public Goal and for the building a house for the Keeper and Erecting a Wall pursuant to the Said report

Ordered

That the Committee who made the said Report do prepare and bring in the same.—

Adjourned til Eleven a Clock to morrow morning—

Wednesday May the 23^d 1722.

MR *Harrison* reports from the Committee to whom the Bill for amending the breed of horses was committed Several Amendments made to the Bill which he read in his place and afterwards delivered the Same in at the Table where the Same was twice read and agreed to

Resolved

That the Bill with the Amendments be Ingrossed.

A Bill for the further Improving the Staple of Tobacco was read the Second time and Several amendments were made therein—

Resolved

That the Bill with the Amendments be Ingrossed.

A message from the Council

That they have agreed to the Resolve for paying three hundred pounds to *William Bird Esq*;

As also to the Resolve for giving the Governor the Sum of One Thousand Pounds to Enable him to make the intended Embassy to *Albany*.

As also to the Resolve for paying XVII pounds 11 Shillings & 11 pence to Mr *Jn^o Holloway*

A written Message from the Council

Mr. Speaker and Gentl. of the House of Burgeffs:

A Petition having been delivered to us last Session of Assembly by Mr *Thomas Jones* in behalf of the late *Virginia* Indian Company Together with an Account of Sundry Sums of money Expended by that Company for the Public Service We have Examined the Several Articles charged in the Said Account and compared the Same with the Vouchers produced to us by Mr *Jones* and As to the Sums charged in the first third fourth fifth and Sixth Articles of the Said Account being for repairing the fortifications of *Christanna* Maintaining the Guard there and the Hostages of the Southern Indians with their Attendants from the 12th of *November 1717* to the last of *July 1718*. We hope we need only remind you that the House of Burgeffes in *May 1718* having resolved to Enable the Government to discharge its Engagements to the Indian Company for those Services—Nothing remains for us but to Certifie That the Said Articles contain a Just Computation of that Charge—

As to the 2^d Article charged in the said Account It doth appear That the Timber and Materials which before the dissolution of the Indian Company were provided for repairing the fort of *Christanna* were afterwards by Order of the Government Employed for that purpose; and Seeing the Said Reparations could not have been made without those Materials We think it reasonable that the said late Company should be reimbursed the Charge thereof as Stated in the Said Article.—

The 7th Article of the Said Account for maintaining the Hostages of the Southern Indians and their attendants from the first of *April 1717* to the 12th of *November* following when the Company was dissolved We doubt not you will think reasonable to Allow when you consider the Occasion of that Expence These Hostages were delivered here upon a Treaty between this Government and the *Cattawba* Indians who had been for Some time before in Warr with his Majesties Subjects of *South Carolina* and were given as pledges of that Peace, which those Indians then promised for the future to maintain as well with this Colony as with all his Majesties other Subjects on the Continent, and tho the Indian Company under the Prospect of the Continuance of the Trade which had been Established by Act of Assembly were willing to ease the Government of the Charge of maintaining those Hostages yet it would be unreasonable to lay the Burthen of that Expence upon the Members of that Company when they were so soon deprived of those advantages which induced them to it

We have also considered the last Article of the Said Account for Sending home the Said Hostages and are of Opinion That the Sum of Twenty pounds charged for that Service is conformable to the Resolution of the House of Burgeffes in 1718 That the said Hostages should be returned in Such a handsome manner as might but preserve a good Understanding with that People it appearing to us That the Nations of Indians to which those Hostages did belong have ever since treated the People of *Virginia* with great Civility and friendship.

And since you will perceive by the Order of the King in Council for repealing the Law for regulating the Indian Trade That his Majesty doth recommend the Reimbursement of the Charge and Expence which the Indian Company have been at for the Public benefit

benefit We make no Doubt your House will readily agree to the payment of the Several Sums mentioned in the Account herewith Sent you, being well assured that the Services therein menconed were of Public Benefit to this Colony.

Resolved

That the Said Message be considered tomorrow—

A Bill for the more Effectual clearing of Rivers and Creeks was read the Second time—

Resolved

That the Bill be Ingrossed.

Resolved

That It is the Opinion of this House That the Governors Prefence in the Government of *New York* during the intended Treaty at *Albany* will be greatly for the benefit of this Colony.

Resolved

That an Address be made to the Governor upon the Subject matter of the Said Refolve and It is refer'd to the Committee for Propositions and Grievances to prepare the Same—

A Bill for the building a Church in the Parish of *Accomack* was read the Second time

Resolved

That the Bill be ingrossed

A Bill to Enable *John Blinco* to Sell certain intailed Lands upon his Setling other lands to the Same Uses was read the Second time and an Amendment was made therein—

Resolved

That the Bill with the Amendment be Ingrossed.

Mr *Clayton* reports from the Committee for Propositions and Griev^s That the Said Committee had had under their consideration Several of the matters to them refer'd and had agreed upon a report which he read in his place and afterwards delivered the Same in at the Table where the Same was again read and agreed to as follows.

Upon consideration of the Petition of the Inhabitants of the City of *W^msburgh* and parts adjacent Complaining of the Roads in and near the Said City being much worn and likely to become Unpassable and praying to be relieved by an Imposition or Some other method as is therein menconed.

Resolved

That a Bill be brought in according to the Prayer of the said Petition Upon consideration of the Proposition of *Joseph Ball* from *Lancaster* County That a certain Number of young men born in this Colony may at the Countries Charge be Sent to One of the Universities in *England* and there maintained til they shall have received Priests Orders.

Resolved

That the said Proposition be rejected, the Country being not at present in a Condition to Comply with it.—

Upon consideration of the Several Petitions of the Inhabitants of *Wilmington* and *Jame's City* Parishes refer'd by the last to this Session of Assembly relating to the Dissolving *Wilmington* Parish and praying the Said Parish may be joined to other Parishes.

Resolved

That a Bill be brought in to dissolve *Wilmington* Parish and to Join the Same to Neighbouring Parishes according to the Prayer of the Said Petitions.

Ordered

That the Committee for Propositions and Grievances do prepare and bring in the Said Bills—

A Bill for the Encouraging of Naval Stores was read the first time

Resolved.

That the Bill be read a Second time—

Ordered

That a Com^{tee} be appointed to Inspect and Examine the Treasurers Accounts and to make report of their Opinions therein to the House and It is referd to Mr *Grymes* Mr *Harrijo*n and Mr *M^cCarty*.

Adjorned til Eleven a clock to morrow morning

Thursday

Thursday May the 24th 1722.

A CLAIM of *John Slater* was with the leave of the House received
Ordered.

That the said Claim be referd to the consideration of the Committee for Public Claims to Examine the Same and report their Opinions therein to the House

A Petition of *William Beverley* Setting forth that certain lands in the County of *Spotsylvania* are by the Will of his father Setled upon him for his life with divers limitations over and praying for many Reasons to be Enabled to Sell the Said Lands in fee Simple was presented to the House and read

Resolved

That the Said Petition be Refer'd to the consideration of Mr *Robinson* Mr *Nicholas Smith*, Mr *W^m Thornton*, Mr *Hawkins* Mr *Braxton* and Mr *Corbin* to examin the Same & report their Opinions therein to the house

Ordered

That Mr *Meriwether* Mr *Syme* and Mr *Thomas Randolph* do carry the Resolve for runing the Dividing line between the Counties of *Henrico* and *Hanover* to the Governor and Council and desire their Concurrence thereto

A Bill intituled *an Act for the further Improving the Staple of Tobacco* was read the third time—

Resolved

That the Bill do pass

A Bill intituled *an Act for the more effectual clearing of Rivers and Creeks* was read the third time

Resolved

That the Bill do pass

A Bill intituled *an Act for amending the breed of horses* was read the Third time and an Amendment was made therein—

Resolved

That the Bill as amended do pass

Ordered

That the Committee for Propositions and Grievances do carry the Said Bills to the Council and desire their Concurrence thereto—

A Bill for Encouraging of Naval Stores was read the Second time and an Amendment was made therein—

Resolved

That the Bill with the Amendment be Ingrossed.

Mr *Robinson* reports that the persons appointed had according to Order Examined the Allegations of the Petition of *W^m Beverley* and were of Opinion that there is good Cause for leave to bring in a Bill according to the Prayer of the Said Petition—

Ordered

That leave be given to bring in a Bill accordingly.

A Bill intituled *an Act for the building a Church in the Parish of Accomack* was read the third time—

Resolved

That the Bill do pass.

Ordered

That Mr *Ewel*, Mr *Syme*, and Mr *Walk* do carry the Said Bill to the Council and desire their Concurrence thereto—

A Bill Intituled *an Act to Enable John Blinco to Sell certain intailed Lands upon his Settling other Lands to the Same uses* was read the third time.

Resolved

That the Bill do pass

Ordered

Ordered

That Mr *McCarty*, Mr *Eschridge* Mr *Presly* and Mr *Hack* do carry the said Bill to the Council and desire their Concurrence thereto—

Then the House proceeded to the consideration of the written Message from the Council And the Same being read.

Resolved

That the Accounts of the late Indian Company mentioned in the said Message be refer'd to the Committee for Public Claimes to Examine the Same and report their Opinions therein to the House.—

Ordered

That the Committee for Propositions and Grievances do go up to the Council and desire to know whether they will Join with this House in an address to be made to the Governor upon the Subject matter of the Resolve. That his presence in the Government of *New York* during the intended Treaty at *Albany* will be of great benefit to this Colony and whether they will appoint—Some of their Members to Join with a Committee of this House in preparing the Said Address.—

Adjourned til Eleven a Clock tomorrow morning.—

Friday May the 25th 1722

ORDERED

That Mr *Crafford* have leave to go into the Country.

A Bill intituled *an Act for the Encouraging of Naval Stores* was read the third time—

Resolved

That the Bill do pass.

Ordered

That the Committee for Propositions and Grievances do carry the said Bill to the Council and desire their Concurrence thereto—

Mr *Clayton* reports from the Committee for Propositions and Grievances That the Said Committee had had under their consideration Several of the matters to them referred and had agreed upon a report which he read in his place, and afterwards delivered in at the Table where the Same was again read and is as follows.

The Committee upon Inspecting the Journal of the last Session of Assembly find the report of the Committee of Elections and Priviledges made on the Petitions of Sundry Inhabitants of *Essex* County Complaining of hardships Imposed on them by the Militia Court lately held in the Said County was refer'd by the last to the consideration of this Session of Assembly—

Resolved

That the Same is Proper to be considered.

We also find the Disarmed Condition of the Militia. And the Proposition from *New Kent* County That Guns and Swords be provided for the poorer Sort of People who are not able to purchase the Same was refer'd by the last to the consideration of this Session of Assembly with the Governors speech relating to the Disarmed Condition of the Militia—

Resolved

That the Same is proper to be considered.

Upon consideration of the Petitions of the Vestry of *Christ Church* Parish in the County of *Middsex* And the Petition of divers Inhabitants of the Said Parish.—

It is the Opinion of the Committee That the Petition of the Vestry is reasonable and proper to be relieved by amending the Parochial Laws.

Resolved

That a Bill be prepared accordingly

Upon

Upon confideration of the Propofition from *Surry* County That a Duty of Twenty pounds per head may be laid on all Slaves to be Imported And a Law made for the better Government of thofe already amongst us.—

Resolved

That a Duty of forty Shill^s per head be laid upon all Negroes to be Imported into this Colony and that a Bill be prepared accordingly.

And the Said report was read the Second time—

Resolved.

That the Houfe doth agree with the Said Committee That the report of the Committee for Elections and Priviledges made at the laft Seflion of Affembly.—

Upon the Petition of Sundry Inhabitants of the County of *Effex* be [ing] confidered

Resolved

That the Same be confidered to morrow—

Resolved.

That the Houfe doth agree with the faid Committee That the difarmed Condition of the Militia ought to be confidered—

Resolved

That a Bill be prepared for Amending the Law relating to the Militia And It is refer'd to the Committee for Propofitions and Grievances to prepare and bring in the Same—

Resolved

That the Houfe doth agree with the Said Committee That a Bill be prepared for amending the Parochial Laws and that the matters Set forth in the Petition of the Veftry of the faid Parifh of *Chrift Church* be provided for in the Said Bill—

Ordered

That the Committee for Propofitions and Grievances do prepare and bring in the Said Bill—

Resolved.

That the Houfe doth not agree with the faid Committee That a Bill be prepared for the laying a Duty of forty fhillings per head upon Negro's.—

A Bill for diffolving the Parifh of *Wilmington* and for Joining the Same to other Parifhes was read the firft time.—

Resolved.

That the Bill be read a Second time on *Tuesday* next.—

Mr *Clayton* reports That the perfons appointed to Examin the matter of the Petition of *John Bates* praying to be Enabled to Sell certain Intailed Lands upon his Setling other Lands to the Same Ufes, had had the Same under their confideration and were of Opinion that the Lands propofed to be fetled are not of Equal Value with the faid Intailed Lands—

Resolved

That the faid Petition be rejected.

A Bill for the Vefting the free Simple Eftate of certain Lands in *W^m Beverley* of the County of *King* and *Queen* gen. upon certain confiderations therein menconed was read the firft time.

Resolved

That the Bill be read a Second time—

A meffage from the Council.

That they have agreed to join in an Addrefs to the Governor upon the Subject matter of the Meffage Sent to them Yefterday and have appointed two of their members to join with Such perfons as this houfe fhall appoint to prepare the fame and that the Committee of the Council will meet the Committees of this Houfe to morrow morning at eight a Clock in the Conference Chamber.—

Ordered.

That a Com^{tee} be appointed to join with a Com^{tee} of the Council in p^rparing the Said Addrefs and it is refer'd to Mr *Clayton* Mr *Grymes* Mr *Efcridge* and Mr *Braxton*—

Adjourned til Eleven a Clock to morrow morning—

Saturday

Saturday May the 26th 1722.

M^R *Harrison* reports That the Committee appointed to Examine the Amounts of the late Indian Company had had the Same under their consideration and agreed upon a report which he read in his place and afterwards delivered in at the Table where the Same was again read.

Resolved

That the Said report be considered on *Tuesday* next.

A Bill for the Vesting the free Simple Estate of certain Lands in *W^m Beverley* of the County of *King* and *Queen* Gent. upon certain considerations therein mentioned was read the Second time and Several Amendments were made therein—

Resolved

That the Bill with the Amendments be ingrossed.

Mr Clayton reports from the Committee for propositions and Grievances That the said Committee had considered the Grievance from *Lancaster* County (Complaining that the Bounds of their County on the Side of *Northumberland* County have never been regularly laid out and praying to be redressed therein) to them refer'd and were come to a resolution thereupon which he read in his place and delivered in at the Table where the same was twice read and agreed to as followeth—

Resolved

That *Mr Dan^l McCarty* *Mr George Escribde*, *Mr Charles Barber*, *Mr Will^m Woodbridge* and *Mr Charles Grymes* or any three of them with the Surveyors *Mr Coppidge* and *Mr Newton* or One of them do meet and (having regard to all Evidences and former Orders to be produced) lay out the Dividing bounds between the Said Counties at the Equal Charge of each County and to make report of their proceedings to the next Session of Assembly.—

Ordered

That *Mr W^m Ball* *Mr James Ball*, *Mr Presley* and *Mr Hack* do carry the Said Resolve to the Governor and Council and desire their Concurrence thereto

A Bill to oblige Ships coming from places infected with the plague to perform their Quarentine was read the first time—

Resolved

That the Bill be read a Second time—

Mr Clayton reports that the Com^{tee} appointed to Join with two Members of the Council in preparing the Address to the Governor had met them for that purpose and that they informed the said Committee That the Council were of Opinion, they could not handsomely address the Governor upon the Subject matter of the Resolve of this House until this House had considered the Governors former Journey to *New York* and his Services in obtaining the Preliminary Articles., which are to be the foundation of the present Treaty.

Resolved.

That the House will consider the said report on *Tuesday* next.

The Petition of *Richard Hickman* keeper of the Capitol praying that a flag and Cushions may be provided for the Capitol was read.

Upon a motion made

Ordered

That a Committee be appointed to inquire what Ornaments or other things are necessary to be provided for the use of the Capitol and the Assembly and to report the Same with a Computation of the Charge thereof to the house and It is refer'd to *Mr Clayton*, *Mr McCarty*, *Mr Robinson*, *Mr Grymes* and *Mr Willis*.

Resolved.

That the consideration of the report of the Committee for Elections and Privileges made at the last Session upon the Petition of Sundry Inhabitants of the County of *Essex* be refer'd til *Tuesday* next.

Adjourned til Eleven a Clock on *Monday* morning.

Monday

Monday May the 28th 1722.

ORDERED

That Mr *Hawkins* have leave to go into the Country.

A Bill for the Vesting the free Simple Estate of certain Lands in *W^m Beverley* of the County of *King and Queen* gen. upon certain considerations therein mentioned was read the third time

Resolved Nemine Contradicente

That the Bill do pass.

Ordered

That Mr *Clayton*, Mr *Harrison*, Mr *Willis*, Mr *Robinson* and Mr *Blair* do carry the Bill to the Council and desire their Concurrence thereto

A Bill to oblige Ships coming from places infected with the Plague to perform their Quarentine was read the Second time and Several Amendments were made therein—

Resolved.

That the Bill with the Amendments be Ingrossed.

A Message from the Council—

That they have passed the Bill intituled *an Act for the more effectual clearing of River's and Creeks.*

And also the Bill intituled *an Act to Enable Francis Smith to Convey certain Intailed Lands to John Spicer gen in free Simple upon the Said Spicers conveying other lands therein mentioned to the Same uses*

And that they have made Several Amendments to the Bill Intituled *an Act concerning Servants and Slaves and for the better Government of Convicts Imported and for the further preventing the Clandestine Transportation of persons out of this Colony* to which they desire the Concurrence of this House—

And that they have agreed to the Resolve for running the dividing line between the Counties of *Hannover* and *Henrico*

The House proceeded to the Immediate consideration of the Amendments made by the Council to the Said Bill—and The said Amendments being Severally read were upon the Question agreed to—

Ordered

That the Committee for Propositions and Grievances do acquaint the Council That this House have agreed to the Said Amendments

Mr *Harrison* reports from the Com^{tee} for Public Claims That the said Com^{tee} had had Several of the matters to them refer'd under their Consideration and had drawn up a report thereupon which he delivered in at the Table.—

Ordered

That the Said report do ly upon the Table.

A Bill for the preventing of Swine going at large within the City of *W^msburgh* or the Limits thereof was read the first time

Resolved.

That the Bill be read a Second time—

A Petition of the freeholders and Inhabitants of the City of *Williamfburgh* praying that this house will make such proper Application to the Governor as they shall think fit, to Induce him to Incorporate the Inhabitants of the Said City according to the Act of Assembly directing the building the Capitol and the Said City was presented to the House and read.

Ordered

That the said petition do ly upon the Table.

Adjourned til Eleven a Clock to morrow morning—

Tuesday

Tuesday May the 29th 1722.

MR Corbin reports from the Committee for Priveleges and Elections That the Said Committee had had the Returns of Several Writs for Election of Burgeffes to Serve in this present Gen^l. Assembly for the Counties of *Gloster King* and *Queen Warwick*, *New Kent*, and *Northampton*, under their consideration and that they were of Opinion That *Giles Cock*, is duly returned for the County of *Gloster*, That *John Thornton* and *Thomas Maffey* are duly returned for the County of *New Kent* and that *Thomas Harnanjon* is duly returned for the County of *Northampton*.

And that it appeared to the Said Committee That *Richard Johnson* is returned for the County of *King* and *Queen*. but that there is an Omiffion of the word [*King*] in the said Return And that Mr *Nathaniel Hoggard* is returned for the County of *Warwick*, but that there is no Endorsement on the back of the Writ as the Law directs which they Submitted to the consideration of the House—

Ordered

That the Clerk do amend the Returns of the Said Writs.—

A Bill Intituled *an Act to oblige Ships* coming from places infected wth the plague to perform their Quarentine—was read the Third time.

Resolved

That the Bill do pass.

Ordered

That the Committee for Propositions and Grievances do carry the Bill to the Council and desire their Concurrence thereto—

A Bill for dissolving the Parish of *Wilmington* and for Joining the Same to other Parishes was read the Second time.—

Resolved

That the Bill be Ingrossed.

A Claim of *Richard Richardson* for *Grazea* his Negro man Slave convicted of Burglary and felony and valued by the Court before which he was tried at twenty five pounds Current money was presented to the House.

Resolved

That the House will take the Said Claim into consideration when the report of the Committee for Public Claims shall be considered.

Then the House proceeded to the consideration of the report of the Committee appointed to Examin the Accounts of the late Indian Company and the Said report was read and agreed to with an Amendment as followeth

Resolved.

That the first and Second Articles of the Said Acco^t amounting to One hundred and Seventy pounds Eighteen Shillings and nine pence being for fortifying ffort *Christanna* be Rejected.

Resolved

That the Sum of One hundred and Six pounds ninteen Shillings and Six pence be allowed the late Indian Company for paying the Guards at ffort *Christanna* from the 13th of *November* 1717 to the last of *July* 1718.

Resolved

That the Sum of One hundred and Ten pounds Eighteen shill^{rs} and Six pence be Allowed the Said Company for maintaining Eleven Hostages and their Attendants from the 13th of *November* 1717 to the last of *July* 1718.

Resolved

That the 7th Article of the said Acco^t amounting to ninety Six pounds One Shilling for maintaining the Eleven Hostages and their Attendants from the first of *April* 1717 to the 13th of *November* following be rejected.

Resolved

Resolved

That the Sum of Twenty pounds be Allowed the Said Company for their Expences in Sending home the Said Hoftages.

Resolved

That the Sum of Two hundred and thirty Seven pounds Eighteen shill^s out of the Public money in the hands of *Peter Beverly Esq^r* be paid to *Mr Thomas Jones* for the use of the late *Virginia Indian Company* to discharge the Engagements of the House of Burgeff^s to the Government relating to the Said Company.—

Ordered

That *Mr Clayton*, *Mr M^cCarty*, *Mr W^m Randolph*, *Mr Grymes* and *Mr Corbin* do carry the Said Refolve to the Council and desire their Concurrence thereto—

Then the House proceeded to the consideration of the report of the Committee appointed to Join wth a Com^{tee} of the Council in preparing an Address to the Governor.—

Resolved

That the Sum of Three hundred pounds be given to the Governor in consideration of his Journey to *New York* in the year 1717 and his Services in Settling the Preliminary Articles which are the foundation of the Treaty intended to be made at *Albany* this Summer—

Ordered.

That the Committee for Propositions and Grievances do carry the said Refolve to the Council and desire their Concurrence thereto—

Resolved

That the consideration of the report of the Committee for Elections and Privileges appointed for this day be adjourned til to morrow.

Adjourned til Eleven a Clock to morrow morning—

Wednesday May the 30th 1722.

A PETITION of *Lawrence Smith Jun^r* praying to be Enabled to Sell certain In-tailed lands for the payment of his Just Debts upon his Settling other Lands of greater value to the Same Uses was presented to the House and read.

Ordered.

That a Committee be appointed to Examine the matter of the Said Petition and report the Same with their Opinions therein to the House and It is referd to

Mr Corbin.....*Mr W^m Thornton*

Mr Covington.....and

Mr Cook.....*Mr Hawkins*

Ordered

That *Mr W^m Thornton* have leave to go home.

A Bill for the preventing of Swine going at large within the City of *W^mburgh* or the Limits thereof was read the Second time—

And an Amendment was made therein

Resolved.

That the Bill with the Amendment be ingrossed

A Bill for making the Public Prifons in *W^mburgh* more convenient and for building a house for the keeper thereof was read the first time and Several Blanks in the Said Bill were filled up—

Resolved

That the Bill be read a Second time—

A Bill for diffolving the Parish of *Wilmington* and for Joining the Same to other Parishes was read the third time—

Resolved.

That the Bill do pass.

Ordered

Ordered

That the Com^{tee} for Propositions and Grievances do carry the Bill to the Council and desire their Concurrence thereto—

The order of the day for taking the report of the Com^{tee} for Privileges and Elections made at the last Session upon the Petition of Sundry Inhabitants of *Essex* County into consideration being read together with the said report.—

Resolved.

That an Address be made to the Governor upon the Subject matter of the Said report and It is referd to the Com^{tee} for Privileges and Elections to prepare and draw up the Same.—

A message from the Council

That they have made Several Amendments to the Bill intituled *an Act for the building a Church in the Parish of Accomack* And to the Bill intituled *an Act to Enable John Blinco to Sell certain Intailed Lands upon his settling other Lands to the Same uses* to which they desire the Concurrence of this House.

And that they have passed the Resolve for laying out the Bounds between the Counties of *Lancaster* and *Northumberland*.

The said Amendments were severally read and agreed to

Ordered

That the Committee who carried up the said Bills to the Council do acquaint the Council That this House have agreed to the Amendments by them made to the Said Bills.—

Upon a motion after a Debate—

Resolved

That the Salaries of the Burge^{ss} and Charges of this Session of Assembly be paid out of the public mony in the hands of *Peter Beverley Esq^r* after the rate of Ten shillings ^{per} hundred for Tobacco

Resolved

That the Sum of fifty pounds be paid out of the Public mony in the hands of *Peter Beverly Esq^r* to the Speaker of this House for his Service this Session.—

Resolved

That the Sum of Twenty pounds be paid out of the Public money in the hands of *Peter Beverly Esq^r* to Mr *Clayton* Chairman of the Com^{tee} for Propositions and Grievances for his Service this Session

Ordered

That Mr *Harrison*, Mr *Blair*, Mr *William Randolph* and Mr *Cole* do carry the Said Resolves to the Council and desire their Concurrence thereto

The Petition of the freeholders and Inhabitants of the City of *W^msburgh* praying That this House would make application to the Governor to Incorporate the Inhabitants of the Said City being read.

Resolved

That an Address be made to the Governor upon the Subject matter of the Said Petition and It is referd to

Mr *Clayton* Mr *Blair*
and

Mr *Jones*.

to prepare and draw up the Same—

A message from the Council—

That they have made Several Amendments to the Bill intituled *an Act for the further Improving the Staple of Tobacco* to which they desire the Concurrence of this House—

And that they have passed the Resolve for paying the Governor Three hundred pounds.—

And also the Resolve for paying Two hundred Thirty Seven pounds, Eighteen Shillings to Mr *Thomas Jones* for the Use of the late *Virginia* Indian Company.—

Adjorned til Eleven a Clock to morrow morning

Thursday

Thursday May the 31th 1722.

A MESSAGE from the Council That they have passed the Bill Intituled *a Act to oblige Ships coming from places infected with the Plague to perform their Quarentine* without any Amendment—And that they have made Several Amendments to the Bill Intituled *an Act for the encouraging Naval Stores* to which they desire the Concurrence of this House.—

A Bill intituled *a Act for preventing Swine going at large within the City of Williamsburgh or the Limits thereof* was read the third time—

Resolved

That the Bill do pass.

Ordered

That Mr Clayton, Mr Blair, and Mr Jones do carry the Bill to the Council and desire their Concurrence thereto—

A Bill for making the Public prisons more convenient and for Building a House for the Keeper thereof was read the Second time

Resolved.

That the Bill be ingrossed—

Then the House proceeded to the consideration of the Amendments made by the Council to the Bill Intituled *an Act for the further Improving the Staple of Tobacco* and the Same were severally Twice read and agreed to.—

Ordered

That the Com^{tee} for Propositions and Grievances do acquaint the Council That this House have agreed to the Amendments by them to the Said Bill—

Mr Grymes reports That the persons appointed had according to order Examined the Treasurers Accounts and that they found the Same truly Stated and that the Ballance of the Said Account including the One Moiety of two yeares Interest of the ten Thousand Pounds lent out by Act of Assembly appeared to the said Com^{tee} to be Twelve Thousand One hundred and fifty One pounds two Shillings and Two pence—

A debate arising upon the said Report, for the Treasurer to Account for all the Interest that hath and shall arise from the s^d Ten Thousand Pounds.

Resolved

That the Debate be adjourned til to morrow.

Then the House proceeded to the consideration of the Amendments made by the Council to the Bill intituled *an Act for Encouraging Naval Stores* and the Same were Severally twice read and agreed to—

Ordered

That the Committee for Propositions and Grievances do acquaint the Council that this House have agreed to the Amendments by them made to the Said Bill—

Then the House proceeded to the consideration of the Report of the Committee for Publick Claimes and the Same being read was with Several Amendments agreed to by the House;

Adjourned til Eleven a Clock to morrow morning

Friday June 1^{mo} 1722.

A BILL intituled *an Act for making the Public prisons more convenient and for building a house for the Keeper thereof* was read the third time—

Resolved

That the Bill do pass

Ordered

That the Committee who prepared the Said Bill do carry the same to the Council and desire their Concurrence thereto—

A petition of *Harry Beverley* Setting forth That a Bill intituled *an Act for vesting the fee Simple of certain lands in W^m Beverley of the County of King and Queen gen. upon certain considerations therein menconed* had passed this House without his knowledge and to his great Damage and that the Same was now depending before the Council and praying to be heard upon his Objections to the Said Bill was presented to the House and read.—

Resolved

That the Said Petition is false and Scandalous and that the Same be rejected.—

Mr *Corbin* reports That the persons appointed had according to order drawn up an Address to the Governor upon the Subject matter of the report of the Committee for Privileges and Elections made at the last Session upon the Petition of Sundry Inhabitants of the County of *Effex* which he read in his place and afterwards delivered in at the Table where the Same was twice read and agreed to with Some Amendments as follows.—

To the Hon^{ble} Alexander Spotswood his Majesty's Lieut. Govern^r. of Virginia—

The humble Address of the House of Burgejs^s.

We his Majesty's most dutiful and Loial Subjects the Burgejs^s now Assembled beg leave to represent to your Honor That many of the Inhabitants of *Effex* County have by their petition prefer'd to this House Complained of divers hardships Imposed on them by the Rigorous proceedings of the Court Marshal held in the Said County the Sixth day of *October* 1720 by which many grievous fines have been laid on them. And as we have had long experience of your Honors Disposition to Mildness and Clemency in your Administration We cannot but think Such practices will meet with your Disapprobation and humbly intreat your Honor will be pleased to inquire into the Proceedings of the Said Court and remit the fines Imposed on Such persons who have not offended in Contempt of the Authority of Government And as we have great reason to believe Such Severities are contrary to your order So we hope Your Honor will Shew your Dislike and discountenance Such persons as have acted contrary to the true intent of the Law—

Resolved

That the Said Address be signed by the Speaker and presented by Mr *Corbin* Mr *Presly* Mr *Escribde*, Mr *Waller* Mr *Willis*, Mr *Cook*, Mr *Covington* Mr *Mason* and Mr *Richard Johnson*—

Mr *Clayton* reports That the Committees of the Council and this house appointed to draw up an Address to the Governor upon the Subject matter of the Vote That his presence in the Government of *New York* during the intended Treaty at *Albany* will be of great benefit to this Colony, had accordingly drawn up an Address which he read in his place and delivered in at the Table where the Same was twice read and agreed to.—

Ordered

That the Members of this House who assisted in drawing up the said Address do carry the Same to the Council and desire their Concurrence thereto—

A Message from the Council That They have agreed to the address to be presented to the Governor to acquaint him that it is the Sense of both houses That his presence at *Albany* during the intended Treaty will be of great benefit to this Colony.—

The Said Address is in these words.

To the Hon^{ble} Alexander Spotswood his Majesties Lieut. Govern^r. of Virg^a

The humble Address of the Council and House of Burgejs^s.

May it please Your Honor.

We his Majesty's most dutiful and Loial Subjects the Council and Burgejses now assembled having had under our consideration the Settling a Peace with the five Nations of Northern Indians recommended to us in your Honors Speech at the Opening this Session Do think it highly necessary That a Treaty for that purpose be had at *Albany* upon the Preliminaries concluded by your Honor which have the Unanimous approbation of both houses of Assembly.

From

From the Experience of near Twelve yeares of Your Honors Administration we are very sensible of your great Application and discerning Judgment in all the Concerns of Government and as we have observed more particular skill and Dexterity in your Managing the Indian Affairs We think it will greatly conduce to the Establishing an honorable and lasting Peace if your Honor will be pleased to preside in the Negotiations at *Albany* by which they will be under the influence of your more Immediate directions And as we believe it will Redound so much to the Safety and Honor of this Country. We hope your Honour will gratifie our unanimous Desire.—

Resolved.

That this Address be signed by the Speaker and that the persons who assisted in drawing the Same up do carry it again to the Council

The House Resumed the adjourned Debate upon the report made on the Treasurers Accounts—

Resolved

That the Said Accounts do pass.

Ordered

That Mr *Grymes*, Mr *Harrison* and Mr *Waller* do carry the said Accounts to the Council and acquaint them That they have passed this House—

Adjourned til Eleven a Clock tomorrow morning.

Saturday June the 2^d 1722

RESOLVED

That the Sum of fifty shillings be paid out of the Public money in the hands of *Peter Beverley Esq^r* to *John Randolph* Clerk of the House of Burgesses for each Copy of the Laws and Proportions of this Session to be sent to the respective Counties in this Colony accounting [amounting] in the whole to Sixty Seven pounds Ten Shillings—

Ordered

That Mr *Robinson*, Mr *Braxton* and Mr *Waller* do carry the Said Resolve to the Council and desire their Concurrence thereto—

Mr *Corbin* reports That the persons appointed had presented the Address to the Governor upon the Subject matter of the report of the Committee for Privileges and Elections concerning the *Effex* Petition and that he was pleased to return the following Answer—

I will Inquire into the proceedings of the *Effex* Court Martial and if I find them unwarrantable I shall immediately withdraw my Commission from Such Officers as may appear to be the Transgressors. But however matters may be proved Seeing this House is pleased to favor the Case of the Petitioners I will shew them all the Lenity that is now desired Even tho' I extend towards them more than I think they deserve—

A message from the Council

That they have made Several Amendments to the Bill intituled *an Act for selling new ferries over Rappahanoc and Pamunkey River* And to the Bill intituled *an Act for dissolving the Parish of Wilmington and for joining the Same to other Parishes* to which they desired the Concurrence of this House—

And that they have passed the Resolve for paying the Burgesses and Charges of this Session of Assembly in money.

And the Resolve for paying fifty pounds to the Speaker

And also the Resolve for paying Twenty pounds to Mr *Clayton* Chairman of the Committee for Propositions and Grievances.

And that they had also passed the Treasurers Accounts.

Mr *Clayton* reports from the Committee appointed to draw up an Address to the Governor to Incorporate the Inhabitants of *Wmsburgh*

An

An address agreed upon by the Committee which he read in his place and afterwards delivered the Same in at the Table where the Same was Twice read and agreed to and is as followeth—

To the Hon^{ble} Alexander Spotswood his Majest^y. Lieut. Govern^r. of Virginia.

The humble Address of the Burgeffs. House of Assembly.—

May it please yo^r. Honor.

We his Majest^ys most dutiful and Loial Subjects the Burgeffs of this Assembly humbly beg leave to represent to your Honor the great Satisfaction we have in beholding the prosperous Condition of the Capital City of this Colony flourishing under your auspicious Governm^t. That place which a few yeares Since could hardly find reception for One half of our Body can now commodiously entertain the whole. The Number of the Inhabitants and the great Concourse of People resorting to this place we humbly conceive require a Strict regulation of Government and a Spedier method of proceeding than in the Ordinary Course of the Law and also a better manner of furnishing Provisions and necessaries for their Subsistence than is comonly practiced in this Country.—

We are assured the People now Inhabiting this City of W^msburgh are in a Capacity of Supporting the honor and Charge of a Corporation and as a former Assembly have thought fit to Impower the Govern^r of this Colony to Incorporate the freeholders and Inhabitants of the said City in Such manner as he should judge proper. We humbly hope Your Honor who alwaies Study the benefit and advantage of his Majest^ys Subjects committed to your Charge will be pleased to Extend the Roial favour to the Inhabitants of the Said City and grant his Majest^ys Letters Patents for Incorporating them with Such Powers franchises Liberties and Privileges and in Such maner as you in your great wifdome shall think fit.—

Resolved

That the Said Address be presented by Mr Clayton Mr Blair Mr Jones, Mr Robinson, Mr W^m Randolph, Mr Stith, Mr Corbin Mr Merewether, Mr Braxton, Mr M^cCarty and Mr Mumford

Mr Corbin reports That the Committee appointed to Examin the matter of the Petition of *Lawrence Smith Junior* had accordingly Examined the Same and were of Opinion That the Lands of the Petitioner in the County of *Spotsylvania* are of less value than the Land called *Beach Swamp* in the County of *Gloster*.

Resolved

That the Said Petition be rejected.

A Message from the Council That they have made Some Amendments to the Bill intituled *an Act for the Vesting the fee Simple Estate of certain Lands in W^m Beverley of the County of King and Queen gen upon certain considerations therein mentioned* to which they desire the Concurrence of this House—

Several Allowances in mony were made to the Officers of the Assembly and others & added to the book of Claimes.

Ordered

That the Committee for Public Claimes do carry the Said book to the Council and desire their Concurrence thereto—

The House then proceded to the consideration of the Amendments made by the Council, to the Bill Intituled *an Act for setting new ferries over Rappahanoc and Pamunkey Rivers* and the Same being Severally read a Second time were agreed to—

Ordered

That the Committee for Propositions and Grievances do acquaint the Council that this House have agreed to the Said Amendments.

The House also took the amendments made by the Council to the Bill Intituled *an Act for Vesting the fee simple Estate of certain Lands in W^m Beverley of the County of King and Queen gent upon certain considerations therein mentioned into their consideration* and the Same were Severally read a Second time and agreed to.

Ordered

Ordered

That Mr Clayton and Mr Robinson do acquaint the Council That this House have agreed to the Said Amendments.

An Ingrossed Bill from the Council Intituled *an Act for punishing Mutinous and disobedient Seamen and for the more speedy determination of Controversies arising between Masters and their Crews* was read the first time.

Resolved

That the Bill be read a Second time—

Adjourned til Eleven a Clock on *Monday* morning.—

Monday June the 4th 1722.

AN Ingrossed Bill from the Council Intituled *an Act for punishing Mutinous and disobedient Seamen and for the more speedy determination of Controversies arising between Masters of Ships and their Crews* was read the Second time—

Resolved

That the Bill be read a third time

The said Bill was read the third time and Some amendments were drawn up at the Table and agreed to—

Resolved.

That this House doth agree to the said Bill with the Amendments.

Ordered.

That Mr Clayton, Mr Harrison and Mr Blair do carry the Bill to the Council and acquaint them that this House hath agreed to the said Bill with the Amendments annexed.

A Message from the Council

That they have made some Amendments to the Bill intituled *an Act for the preventing Swine going at large within the City of Williamsburgh or the Limits thereof* to which they desire the Concurrence of this House—

And that they have passed the Resolve for paying the Clerk of this House Sixty Seven pounds Ten shillings for the Copies of the Laws and Propositions of this Session—

And that they having applied to the Governor to know his pleasure when both houses may attend him with their Address concerning the Embassy to *Albany*

His Honor had appointed both houses to attend him to morrow at Eleven a Clock in the forenoon in the Council Chamber—

Resolved

That this House will attend the Governor accordingly—

Adjourned til to morrow morning Ten a Clock.

Tuesday June the 5th 1722.

THE House proceeded to the consideration of the Amendments made by the Council to the Bill Intituled *an Act for the preventing Swine going at large within the City of Williamsburgh or the Limits thereof.*—

And the said Amendments were Severally read a Second time and agreed to.

Resolved

That a Message be Sent to the Council to acquaint them that this house hath agreed to the Said Amendments and that Mr Clayton Mr Blair and Mr Jones do go up with the Message—

A Message from the Council That they have agreed to the amendm^{ts} made by this House to the Bill Intituled *an Act for punishing mutinous and disobedient Seamen*
and

and for the more Speedy Determination of Controversies arising between Masters of Ships and their Crews.

And that they have made an Addition to the Bill intituled *an Act for making the Publick Prisons in Williamsburgh more convenient and for building a House for the Keeper thereof* to which they desire the Concurrence of this House.

And the Said Addition was read a Second time and agreed to by the House.—

Resolved

That a Message be Sent to the Council to Acquaint them That this House hath agreed to the Addition by them made to the Said Bill and that Mr Clayton and Mr Blair go up with the message—

Upon a motion

The House was called over and the absent Members Excused.

Mr Speaker reports That the Governor had been attended by the Council and this House with the Address of both houses concerning the Embassy to Albany, and that after the Speaker had read the Address to the Governor he was pleased to make this answer—

Gentlemen

I thank you for the Honor you do me in Judging me Equal to my Charge and wish for nothing more than to Convince you of my affection to the Service of this Colony; and in order to give Some proof thereof I readily Acquiesce in what both houses now desire And shall undertake the Journey how apprehensive soever I am that my own particular Concerns must suffer by so long an absence.—

Then the House proceeded to the consideration of the Amendments made by the Council to the bill intituled *an Act for dissolving the Parish of Wilmington and for Joining the Same to other Parishes*

And the Said Amendments were Severally read a Second time and disagreed to by the House.

Resolved

That a message be Sent to the Council to acquaint them that this House has disagreed to the Amendments by them made to the said Bill and that the Committee for Propositions and Grievances do go up with the Message.

Mr Clayton reports That the Governor had been attended with the Address of this House to Incorporate the freeholders and Inhabitants of *W^msb^urg^h* and that he was pleased to say.

That as much as in him lay he would endeavor to answer the Expectation of this House—

A message from the Governor by Mr Robertson—

Mr Speaker.

I am commanded by the Governor to return to this House the Resolves for running the dividing line between the Counties of *Henrico* and *Hanover* and the Counties of *Lancaster* and *Northumberland* and to acquaint this House That he had Signed his Assent to the Same—

A Message from the Council that they had agreed to the book of Claims and had also obtained the Governors assent to the Same—

Order'd

That a Comtee be appointed to Examin the Enrolled Bills and it is refer'd to

Mr W^m Robinson..... Mr Stith and

Mr Boush..... Mr John Thornton—

Ordered

That a Committee be appointed to proportion the Public Levy and it is referd

Mr W^m Randolph..... Mr W^m Ball &

Mr Escribidge..... Mr Tho. Randolph.—

Mr Clayton reports that the persons appointed had according to order Inquired what Ornaments or other things are necessary to be provided for the use of the Assembly and

and Capitol and had made a Lift of Several things which they found to be wanting the Charge of which they computed One hundred Twenty Eight pounds Ten shillings Sterling and he delivered the Said Lift in at the Table where the Same was read.— and thereupon

Resolved

That the Sum of One hundred And Eighty pounds out of the public money in the hands of *Peter Beverley Esq^r* be paid to *Mr John Holloway Mr John Clayton* and *Mr Arch: Blair* to be by them laid out in providing the following things *viz^t* A Mace, a Gown for the Speaker, and a Gown for the Clerk of the House of Burgeffes; and a Bible and Common Prayer book in folio forty Common prayer books in Octavo, five douz: Cushions of Green Cloth and three douz. leather Chairs for the use of the Affembly; a Bell for the use of the Affembly and Gen^l Court, and a flag for the Capitol, and that the Said Sum be accounted for [to] the next affembly.

Ordered

That the persons appointed to make the said Inquiry do carry the said Resolve to the Council and desire their Concurrence thereto.—

Adjourned til Eleven a clock to morrow morning

Wednesday June the 6th 1722.

A MESSAGE from the Council That they have made an Amendment to the Bill intituled *an Act for amending the breed of horses* to which they desire the Concurrence of this house

The Said Amendment was read a Second time and agreed to by the House

Resolved

That a message be sent to the Council to acquaint them That this House hath agreed to the Amendment by them made to the Said Bill and that *Mr Waller* and *Mr Simmonds* do go up with the message.—

An Ingrossed Bill from the Council intituled *an Act for enforcing and rendering more Effectual the Treaties already made or hereafter to be made with fforrein Indians* was read the first time—

Resolved

That the Bill be read a Second time

The said Bill was read the Second time

Resolved

That the Bill be read a third time tomorrow

Resolved

That the Sum of thirty pounds out of the public mony in the hands of *Peter Beverley Esq^r* be paid to *Mr John Holloway Mr John Clayton* and *Mr Arch: Blair* to be by them laid out in providing the following Particulars for the use of the Council and Gen^l Court *viz^t*.

A Gown for the Clerk of the General Affembly

A Lustre for the Council Chamber

A Lustre of Lefs Size

A large glafs Lanthorn and four glafs branches for the General Court and thirteen Cushions of green Cloth.

And that the said Sum be accounted for to the next Affembly.

Ordered.

That *Mr Clayton, Mr McCarty* and *Mr Esfridge* do carry the Resolve to the Council and desire their Concurrence thereto—

A Message from the Council That they have passed the Resolve for the Payment of One hundred and Eighty pounds to *Mr John Holloway Mr John Clayton* and *Mr Arch: Blair*—

Ordered

Ordered

That the Committee for Propositions and Grievances do attend the Govern^r with all the Refolves of this Session for the payment of money and desire his assent thereto—

Mr *William Randolph* reports from the Committee appointed to proportion the public levy That the Committee had agreed upon the Several Proportions and had entered the Same in a book as usual which he delivered in at the Table where the same was read and agreed to—

A Bill for raising a Public levy was read the first time—

Resolved.

That the Bill be read a Second time

The said Bill was read a Second time

Resolved

That the Bill be Ingrossed.

The House being informed That the Clerks of the Counties of *Elizabeth City, Richmond, Westmorland, Lancaster, and Northumberland* had failed to return the Number of Tithables in their respective Counties which had Occasioned Some difficulties in proportioning the Public Levy.

Resolved

That the Said Clerks are guilty of a great neglect and that the Same be considered at the next Session of Assembly.

A message from the Council—

That they have passed the Resolve for appropriating the Sum of thirty pounds for providing Several things for the use of the Council and Gen^l Court

Adjourned til Eleven a Clock to morrow morning.

Thursday June the 7th 1722.

A BILL intituled *an Act for raising a Public Levy* was read the third time

Resolved

That the Bill do pass.

Ordered

That the Committee appointed to proportion the Public Levy do carry the Bill to the Council and desire their Concurrence thereto—

An Ingrossed Bill from the Council intituled *an Act for Enforcing and Rendering more Effectual the Treaties already made or hereafter to be made with fforrein Indians* was read the third time—

and Some Amendments were made at the Table.—

Resolved

That this House doth assent to the Said Bill with the said amendments

Resolved.

That a Message be Sent to the Council to acquaint them That this House assented to the Said Bill with the Amendments annexed. And that the Com^{tee} for propositions and Grievances do go up with the message

A message from the Governor by Mr *Robertson*—

Mr *Speaker.*

I am commanded by the Governor to return to this House all the Refolves passed this Session for mony payments and to acquaint this House That he hath Signed his Assent to all those Refolves.

Mr *Clayton* reports from the Committee appointed to prepare Bills for amending the Law relating to the Militia and the Parochial laws.

That the Said Committee had had the Same under their consideration and found various difficulties therein and thereupon were of Opinion That the preparing the Said Bills be refer'd to the consideration of the next Session of Assembly.—

Resolved

Resolved

That the Same be refer'd to the consideration of the next Session of Assembly
A Message from the Council That they have agreed to the book of Proportions and
had also obtained the Governors assent thereto

That they had passed the Bill intituled *an Act for raising a Public Levy* without any
Amendments.

And had agreed to the Amendments made by this House to the Bill intituled *an
Act for Enforcing and rendering more Effectual the Treaties already or hereafter to be made
with fforein Indians* and had inserted the Same in the Bill—

Then the House adjourned til five a Clock in the afternoon—

POST MERIDIEM

MR Robinson reports That the persons appointed had according to order Exam-
ined the Inrolled Bills and that they found the same truly inrolled—

Ordered

That the Committee who Examined the Said Bills do carry the same to the
Council for their Perusal—

A message from the Council That they are Satisfied the Several Bills passed both
houses this Session are truly inrolled.—

A message from the Governor by Mr *Robertson*—

Mr *Speaker*.

The Governor commands the Immediate attendance of this house in the Council
Chambers wth Such bills as are ready for his Assent.—

And accordingly Mr *Speaker* with the House went up to attend the Governor in
the Council Chamber where he was pleased to give his assent to the Several Publ and
private Bills following—*viz^t*.

An Act for Encouraging the making of Tarr and Hemp.—

*An Act to Oblige Ships coming from places infected with the Plague to perform their
Quarentine*—

*An Act for Enforcing and rendering more Effectual the Treaties already made or
hereafter to be made with fforein Indians.*—

An Act for the further Improving the Staple of Tobacco.—

*An Act for amendment [amending] the Act concerning Servants and Slaves and for the
better Government of Convicts Imported and for the further preventing the Clandestine
Transportation of persons out of this Colony.*

*An Act for punishing mutinous and disobedient Seamen and for the more Speedy deter-
mination of Controversies arising between Masters of Ships and their Crews.*—

An Act for the more Effectual Clearing of Rivers and Creeks—

An Act for Settling new fferries over York Rapahanoc and Pamunkey Rivers.—

*An Act for making the Public Prisons in Williamsburgh more convenient and for
building a house for the Keeper.*—*thereof.*

An Act for amending the breed of Horses.

*An Act for preventing of Swine going at large within the City of Williamsburgh or the
Limits thereof.*—

An Act for the building a Church in the Parish of Accomack.

*An Act for the Vesting the ffee Simple Estate of certain Lands in William Beverley
of the County of King and Queen Gent. upon certain considerations therein menconed.*

*An Act to Enable John Blinco to Sell certain Intailed Lands upon his Selling other
Lands to the Same uses.*

*An Act to Enable Francis Smith to convey certain intailed Lands to John Spicer Gen.
in ffee Simple upon the Said John Spicers conveying other Lands therein menconed to
the Same uses.*

An Act for raising a Public Levy.—

Then

Then the Govern^r was pleased to make the following Speech—

Gentl. of the Council and House of Burgeffs

Such Concord, and application to Buſineſs, Such good Temper and generous diſpoſition and Such deference to a Governors Recommendation have been manifeſted in this Seſſion of Aſſembly that I cannot in Juſtice part with you without rendering my public Acknowledgments and for my own particular muſt Return you my Thanks for what you have voted in conſideration of my Journey to *New York* in the year 1717 not ſo much valuing the Quantum that you have given, as the Regard which you have now Shewn to my Services in thoſe daies.—

What Remaines is to give you a Receſs from Publick Affairs that you may attend your own private Concernes while I am going a long Journey in order to lay a Laſting foundation for Your Safety: and Seeing I undertake it at the Inſtances of every one of you I hope and affure my Self of that grateful Return, that while I am Labouring for your peace abroad you wil Strive to promote all Quietneſs at home and Endeavour in your Several Stations to make the people truly Senſible of the happineſs they Enjoy under his preſent Majeſties Auſpicious Reign.—

This is what I moſt Earneſtly Recommend to you all, and So Prorogue you to *Thurſday* the 15th day of *November* next, and this General Aſſembly is accordingly Prorogued to *Thurſday* the 15th day of next *November*.—

JOURNAL

OF THE

HOUSE OF BURGESSES

AT A

GENERAL ASSEMBLY

summoned to be held at the Capitol in the City
Williamsburgh the 5th day of *December* in the
Ninth Year of the Reign of our Sovereign Lord
GEORGE by the Grace of God of *Great Brittain*
France and *Ireland* King Defender of the Faith
&c. And in the Year of our Lord M.D.C.C.X.X.ij.
And by writ of Prorogation begun and holden
on the 9th day of *May* M.D.C.CXXij.



RICHMOND, VIRGINIA.

MCMXI.

A GENERAL ASSEMBLY

SUMMONED to be held at the Capitol in the City Williamsburgh the 5th day of *December* in the Ninth Year of the Reign of our Sovereign Lord GEORGE by the Grace of God of *Great Brittain France and Ireland* King Defender of the Faith &c. And in the Year of our Lord M.D.C.C.XX ij. And by writ of Prorogation begun and holden on the 9th day of *May* M.D.C.CXXij.

On which day being the first day of the Sessions of this Assembly about five a Clock in the afternoon *Phillip Ludwell* and *Cole Diggs* Esq^{rs} who were appointed by Commission from his Majesties Lieutenant Governor to Administer the Oaths appointed by Act of Parliament [to] be taken instead of the Oath of Allegiance and Supremacy. the Abjuration Oath the Test and the Oath of a Burgesses to all persons returned as Members before they sat in the House Came into the Conference Chamber the place appointed for that purpose, And the Clerk of the Secretaries office presenting the Several Writts and Returns, and the Clerk of the General Assembly attending according to the duty of his place.

The said *Phillip Ludwell* and *Cole Diggs* did according to the power to them given Orderly and distinctly administer the said Oathes to all the Members who then appeared and a List was taken of the names of all the Members who took the said Oathes, And after the Members had seated themselves in the House of Burgesses. A Message was delivered from the Governor by M^r. *Robertson* as follows

Gentlemen of the House of Burgesses—

The Governor Commands your Immediate attendance in the Council Chamber And Accordingly the House went up to Attend the Governor [in] the Council Chamber

THE
JOURNAL
OF THE
HOUSE OF BURGESSES

Thursday the Ninth day of May 1723.

THE House having attended the Governor and being returned M^r *Clayton* put the House in mind of the Governors Commands to take choice of a fit person to preside in their Councils, and did nominate and Recommend M^r *William Randolph* as a person equal to that Trust—

And M^r *Ejcridge* did Nominate and Recommend M^r *John Holloway* who was Speaker of the former Assembly and had acquitted himself in the Employment with Honour and Reputation

And after a Debate the Question was put by the Clerk.

And M^r *Holloway* being by a Majority of Voices called upon to the Chair was conducted thither by two Members and being there placed made a Speech to the House. Telling them he wanted words to Express his thanks for their great Kindness and the Singular Honour they had done him in approveing his former Service in the Chair—

Resolved.

That a Message be sent to the Governor to Acquaint him That this House had made choice of a Speaker And to know his pleasure when the House shall present him.

Ordered

That M^r *M^cCarty*, M^r *Harrison*, M^r *Merriwether* M^r *Ejcridge* M^r *Conoway* M^r *Clayton*, M^r *Willis* M^r *Blair* M^r *Robinson* M^r *Mason* M^r *Stith*, M^r *Robt Bolling* and M^r *Dangerfield* do carry the said Message.

And M^r *M^cCarty* acquainted the House That the Governor had Appointed to Morrow Morning eleven a Clock for the House to present their Speaker

Adjourned til Ten a Clock to Morrow Morning.

Friday May the 10th 1723.

THE House being met and M^r *Speaker* Elect having taken the Chair

A Message was delivered from the Governor by M^r *Robertson*, as follows
M^r *Speaker*

The Governor commands the Immediate attendance of this House in the Council Chamber

And they went up accordingly with the Speaker Elect and being returned M^r *Speaker* Reported That the House had Attended the Governor and presented their Speaker and that the Governor was pleased to approve and Confirm him And that he had made the Usual petitions for the Ancient Rights and Priviledges of the Burgessees (*Viz*.) That in their Debates they may have freedome of Speech as of Right & Custom hath been used, Power over their own Members and free Access to his person. And that

that the Governor was pleased to make this Answer That he should make it his cheife care to preserve the House of Burgeffes in these and all other their Just Rights and Priviledges.

And Mr. *Speaker* further acquainted the House That the Governor was pleased to make a Speech to the Council and this House which was too long for him to remember, but he had obtained a Copy of it which he read—and the same was afterwards read by the Clerk—and is as follows

*Gentlemen of the Council }
and House of Burgeffes— }*

Having the Honour conferred upon me by our Soverain Lord the King to be sent hither to command as his Lieutenant Governor I judged it requisite for the Benefit of the Colony to call you in Assembly That thereby you might have an opportunity given you of Meeting together and Consulting among your Selves What may most advance your prosperity happiness and Security. I come Impowered by my Instructions and prepared by my Inclinations to give my helping hand to all such Bills thus Tendered to me, And as my Intentions are during the Course of my Administration to preserve you in the full possession of those Rights and Properties you enjoy under the Mild Influence of our present happy Establishment Which I cannot better Express than in those words lately delivered from the Throne That I will make the Laws the Rule and Measure of all my Actions, So I must on the other hand acquaint you that I am firmly resolved to Maintain his Majesties Authority and Prerogative And Answer that Confidence he has been pleased to lodge in me with Resolution firmness and Loyalty

Gentlemen of the House of Burgeffes

I doe not determine how far you may think it necessary for Your Service to lay duties as formerly Practised on some of your Imported Commodities to recruit that Fund now near Exhausted which you Employed so well for lessening the Levy & poll and for some other Usefull Services of the Country: I wholly leave that Matter to be discussed among your Selves and shall procede to recommend to the Council and your Thoughts some Affairs that deserve your more immediate Attention

Your Laws seem very deficient in the due punishing any Intended Infurrection of your Slaves: You have had a late Experience of the Lameness of them, I am perswaded you are all too well acquainted with the Cruel dispositions of those Creatures when they have it in their power either to destroy or distress, to let slip this fair Opportunity of making more proper laws against them or at least to enquire whether any thing is wanting to enforce those Laws now in being. The Surest Method to prevent any fatal Consequences that may arise from their wicked Designs is to put your Militia in a better posture of defence than at present they seem to be.

I observe in the Journals of the last House of Burgeffes that they postponed the Consideration on that head to the next Session of Assembly. I flatter my self now that none among you will be so much wanting to your own safeties as to Suffer Such a body of men as this Colony affords to appear as hitherto Useless, For by a right regulating of them You are able to shew your selves Terrible to your Slaves, formidable to the Indians and in a readiness to Oppose All Enemies that dare presume to Molest You.

I could not Excuse myself, if I omitted on this Occasion representing to you the Languishing Condition of your Tobacco Trade almost destroyed by the Gross Frauds and Abuses that are lately crept into it. 'Tis to[o] nice a point for me to propose Remedies. Your own Sufferings will awaken you to the Consideration of what is most proper to apply for the Recovery of it, If you can fall on any Expedients agreeable to the Interest of the Crown and those concerned in the Trade I shall readily assist you in promoting them to the best of my power.

*Gentlemen of the Council }
& House of Burgeffes.— }*

I am pleased that I can congratulate with you on the Seasonable discovery and prevention of some pernicious Attempts carried on at home to dethrone our Gracious
King

King and un hinge his Government: I need not expatiate on the Miseries that would have reached us had that unnatural Rebellion Succeeded, The Temper of our Enemies would soon make us Sensible of the Treatment we were to Expect at their hands Nor need I labour to Acquaint you what is your duty on this Occasion, Your Fidelity and Affection to his Majesty will more properly instruct you.

I have nothing more to add to your present Consultations than to Assure you that what can in reason be demanded and is in my Power to grant you shall never want my Concurrence or Assistance For I have your welfare Sincerely at heart and since I have no other Views but what you all aim at which is the King's Service and the Good of this Colony I hope we shall Unite and agree in the same Measures to Compass them.

Resolved Nemine contradicente

That an Address of thanks be prepared to the Governor for his very Affectionate and Obleedging Speech to this Assembly.

Resolved Nemine contradicente

That an Humble Address be prepared to the King to Congratulate his Majesty on the Seasonable discovery of the late dangerous Conspiracy against his person and Government

Resolved

That this House will take the Governors Speech into Consideration on *Monday* next.

Ordered

That a Committee of Privileges and Elections be Appointed of these persons following *Viz*.

Mr. Randolph

Mr. Escribidge

Mr. Cole

Mr. Presly—

Mr. Griffin

Mr. Nich^s. Smith—

Mr. Johnson

And they are to meet as often as they find it Necessary and to take into their Consideration All such matters as shall or may come in Question touching Returns Elections and Privileges and to report their proceedings with their Opinions therein to the House from time to time And the said Committee is to have power to Send for Witneses Persons Papers and Records for their Information

Ordered

That a Committee for Publick Claims be Appointed of the following persons *Viz*:

Mr. Harri son

Mr. Will^m. Ball

Mr. Joseph Godwin

Mr. Willis—

Mr. Gray—

Mr. Newton

Mr. Crafford

Mr. Rob^t. Bolling

Mr. Harwood &

Mr. Mason—

Mr. Barber—

And the said Committee are to meet and to take into their Consideration all matters concerning the public Claims of the Country and to report their proceedings with their Oppinions therein to the House And the said Committee is to have power to Sit from day to day and to send for Persons Papers and Records And they are to Inspect the Report of the Committee for Publick Claims of the last session of Assembly and make Report to the House of any matter they shall find therein necessary to be further Considered this Session—

Ordered

That a Committee for Propositions and Grievances be appointed of the persons *viz*:

Mr. M^cCarty

Mr. Randolph

Mr. W^m. Robinson

Mr. Merriwether

Mr. Blair

Mr. Escribidge

Mr. Braxton

Mr. John Bolling

Mr. Boufk—

Mr. Conway—

Mr. Thomas Godwin &

Mr. Clayton

Mr. W^m. Thornton—

And

And they are to meet and take into their Consideration All Propositions and Grievances w^{ch} shall be Offered to this Assembly and to report their proceedings with their Oppinions therein to the House from time to time And the said Committee is to have power to Sit from day to day and to Send for Persons Papers & Records—

Ordered

That the said Committee do prepare and draw up the Addrefs to his Majesty and also the Addrefs to the Governor

Upon the Petition of W^m Le neve Clerc, he is appointed Chaplain to the House.

Ordered

That he attend to read prayers every Morning in the Conference Chamber at Ten a Clock

Ordered.

That Mr Clayton and Mr Blair do Acquaint the Governor and Council of the Time appointed for prayers

James Haffel, Nicholas Wager Rob^t. Dyer and William ffancis upon their Several petitions are Appointed Door keepers to this House.

Ordered

That they give their Attendance Accordingly

Mr. Godfrey Pole upon his petition is appointed Clerk to the Committee for Propositions and Grievances

And Mr. Miles Cary Jun^r. upon his petition is appointed Clerk to the Committee of Privileges and Elections and the Committee for publick Claims

Ordered

That they give their Attendance Accordingly.

Ordered

That all Propositions and Grievances and publick Claims be brought in by Fryday the 17th Instant or else that they be not received without particular leave of the House

Ordered

That the Clerk do fix Copy of the said Order upon some of the Doors of the Capitol

Ordered

That the Committee for Propositions and Grievances do Inspect the Journals of the last Assembly and prepare and draw up a State of the Matters then depending and undetermined and the progress that was made therein and Report the same to the House

Ordered

That the Committee for Propositions and Grievances Inspect what Laws are Expired or near Expiring and Report their Oppinion to the House which of them are fit to be revived or Continued

Resolved

That the Orders of the last session of Assembly continue standing Orders of this session.

Ordered

That the same do ly constantly upon the Table for the Use of the Members.

Resolved

That Fifteen Members with the Speaker be Sufficient to meet and Adjourn—

Ordered

That Mr Aylett Mr William Thorton and Mr Maffey do wait on the Governor and desire him to give Order for the Issuing a new Writ for Electing a Burgefs to serve in this present General Assembly for the County of King William in the room of John Childs Gent^e dece^d

Adjorned till Eleven a Clock to Morrow Morning

Saturday

Saturday May the 11th 1723.

THE House being met
Adjourned till *Monday Morning Eleven a Clock.*—

Monday May the 13th 1723

MR M^cCarty Reports from the Committee appointed to prepare and draw up an Address to the Governor that the Committee had agreed upon an Address which he read in his place and afterwards delivered the same in at the Table where it was twice read and agreed to, as follows

To the Hon^{ble} Hugh Drydale his Majesties Lieut. Governor and Commander in Chief of the Colony and Dominion of Virginia—

The Humble Address of the House of Burgeesses

May it please your Honour

We his Majesties most dutiful and Loial Subjects the Burgeesses now met in Asssembly beg leave to render your Honour Our most hearty Thanks for the Zeal you have been pleased to Express for the Welfare and Prosperity of this Colony in your most kind and Affectionate Speech delivered to us at the Opening this Session

We must always esteem it the greatest Happiness can befall a people to be governed by the Laws of their Country under the direction of a Person whose inclinations lead him to Advance their Interest and Prosperity You *Sir* by your Example truly delineate to us the paths to those most Valuable Blessings of Union and Agreement and by your Mild and Equal Administration give us hopes of intire Satisfaction during the time of your presiding over us.

We are highly Sensible of the Blessings we Enjoy under the present Establishment of the Crown of *Great Brittain* and must reflect with abhorrence on the Wicked and Traiterous Attempts which have been made to dethrone the best of Kings And as our Ancestors have ever acted with firm and Steady Loyalty to their Soverain so we shall strictly persevere therein

We are greatly Encouraged from the assurance your Honour is pleased to give of your Assistance to prepare such Laws as may tend most to his Majesties Service and for Securing the Lives and Advancing the Interest of his Subjects here And humbly beg leave to Assure you We will heartily endeavour to find the most Effectual means to Attain those Ends.

Resolved

That the said Address be presented by the whole House—

Ordered

That the Committee for Propositions & Grievances do desire to know of the Governor when this House may Attend him with the said Address

The House Resolved itself into a Committee of the whole House to Consider the Governors Speech And after some time spent therein M^r *Speaker* Resumed the Chair and M^r *Randolph* reported from the Committee that they had had some part of the said Speech under their Consideration And were come to Two Resolutions which they had directed him to Report to the House And he read the same in his place and afterwards delivered them in at the Table where they were read and agreed to by the House as follows

Resolved

That a Bill be prepared for the more Effectual punishing Conspiracies or Insurrections of Slaves and for the better Government of them

Resolved

That a Bill be prepared for putting the Militia of this Colony in a better posture of Defence

Ordered

Ordered

That the Committee for propositions and Grievances do prepare and bring in the said Bills.

Mr. *Randolph* also acquainted the House that he was directed by the Committee to move that they might have leave to sit again.—

Resolved

That this House will to Morrow Resolve itself into a Committee of the whole house to Consider further of the Governors Speech.

Mr. *M^r Carty* acquainted the House that the Governor was now ready in the Council Chamber to receive their Addrefs, and Mr. *Speaker* Reports that he with the House had attended the Governor and presented the Address of this House And that the Governor was pleased to return this Answer

Mr. Speaker and Gentlemen of the House of Burgeses—

I am glad to find that what I have Communicated to you at the opening of this Session of Assembly meets with your Approbation I thank you for your kind Address And I assure you while I have the Honour of presiding among you I will pursue the True Interest and Welfare of the Colony.

Mr. *Randolph* Reports from the Committee of Privileges and Elections That the said Committee had Examined the Returns of the Several Writs for the Election of Burgeses to serve in this present General Assembly And that it appeared to the said Committee that the following persons were duly Returned *Viz*:

Mr. *W^m Randolph* and Mr. *John Bolling* for the County of *Henrico*.

Mr. *Rob^t. Bolling* and *John Poythres* for the County of *Prince George*.

Mr. *Will^m Gray* & Mr. *Henry Harrison* for the County of *Surry*—

Mr. *Henry Applewhaite* & Mr. *Joseph Godwin* for the County of *Isle of Wight*.

Mr. *Thomas Godwin* & Mr. *Henry Baker* for the County of *Nancemond*.

Mr. *W^m Crafford* & Mr. *George Newton* for the County of *Norfolk*—

Mr. *James Ricketts* & Mr. *Thomas Wythe* for the County of *Elizabeth City*—

Mr. *W^m Cole* & Mr. *William Roscow* for the County of *Warwick*.—

Mr. *Archibald Blair* and Mr. *John Clayton* for the County of *James City*

Mr. *Sam^l. Harwood* & Mr. *John Stith* for the County of *Charles City*—

Mr. *Nich^s. Merriwether* and Mr. *Richard Harris* for the County of *Hanover*.

Mr. *John Thorton* & Mr. *Thomas Massie* for the County of *New Kent*

Mr. *W^m Aylett* & Mr. *John Childs* for the County of *King William*.—

Mr. *Richard Johnson* & Mr. *George Braxton* for the County of *King & Queen*

Mr. *Giles Cook* & Mr. *Henry Willis* for the County of *Gloucester*.

Mr. *Rob^t. Jones* & Mr. *W^m Dangerfield* for the County of *Essex*—

Mr. *Larkin Chew* and Mr. *Fran^s. Thorton* for the County of *Spotsylvania*

Mr. *Nich^s. Smith* & Mr. *W^m Thornton* for the County of *King George*

Mr. *Charles Barber* & Mr. *Thomas Griffin* for the County of *Richmond*.

Mr. *Edwin Conway* & Mr. *W^m Ball* for the County of *Lancaster*—

Mr. *George Escribde* and Mr. *Daniel M^r Carty* for the County of *Westmorland*.

Mr. *George Mason* & Mr. *W^m Robinson* for the County of *Stafford*.

Mr. *Fully [Tully] Robinson* & Mr. *Edmund Scarburgh* for the County of *Accomack*

Mr. *Geo. Harmanjon* & Mr. *Thomas Harmanjon* for the County of *North'ton*

Mr. *John Holloway* for the City of *Williamsburg* and Mr. *Lawrence Smith* & Mr. *Edward Tabb* for the County of *York*.

And that it appeared to the said Committee that the following Persons were not duly Returned *Viz*:

Mr. *Henry Spratt* & Mr. *Maximilian Boujh* for the County of *Princefs Ann*.

Mr. *W^m Broadnax* for *James Town*.

Mr. *Mathew Kemp* & Mr. *Edwin Thucker [Thacker]* for the County of *Middlesex*.

and Mr. *Peter Presley* & Mr. *George Ball* for the County of *Northumberland*.

Ordered

Ordered

That the Clerk do now at the Table amend the Returns made by the Sheriffs of *James City Mddx, Princefs Anne & Northumberl'd* upon the Writs for electing of Burgesses to serve in this present General Assembly for the said Counties & for *James Town*.

Then the House Adjourned till tomorrow morning eleven of the Clock.

Tuesday May the 14th 1723.

A PETITION of *John Lomax* in behalf of himself and Divers Freeholders of the County of *Effex* was presented to the House & Read. Complaining that Col^o *Joseph Smith* one of the Justices of the said County had refused to sit in Court to receive and certify a grievance subscribed by the Petitioner and Divers other Freeholders, Whereby there wanted a Sufficient Number of Justices to make a Court, And praying that the said *Joseph* (if he hath Acted therein against the Laws and Liberties of the Subject) may be dealt with Accordingly—

Ordered

That the said *Joseph Smith* be sent for in Custody of y^e Messenger to answer the said petition at the Bar of this House And that M^r. *Speaker* do Issue his Warrant Accordingly

A Petition of Sundry Inhabitants of the County of *Effex* whose names are thereunto Subscribed was presented to the House and Read Complaining of great Severities exercised by Col^o *Joseph Smith* in Levying of fines upon Orders of a Court Marshal, The proceedings whereof were complained of and censured at the last Assembly—

Ordered

That the said petition be refer'd to the Consideration of the Committee of Privileges and Elections and that they do examin the matter thereof and Report the same as it shall appear to them to the House.

The Order of the day being read

Resolved

That this House will to Morrow Resolve it self into a Committee of the whole House to Consider further of the Governors Speech.

Then the House Adjourned till to morrow morning eleven of the Clock.—

Wednesday May the 15th 1723

A PETITION of *Rob^t. Stubblefield Peirce Buttler* and *Paulin Anderson* was presented to the House and read Praying that Leave may be given to bring in a bill for vesting in the said *Peirce Buttler & Paulin Anderson* the Fee simple Estate of certain Lands whereof the said *Robert* is seized in fee tail and for vesting other lands of the said *Peirce* and *Paulin* in the said *Rob^t.* to the same uses—

Ordered

That the said Petition be referd to the Consideration of a Committee and that they do Examin the matter thereof and the Value of the said Lands and Report the same with their Opinion thereupon to the House

And a Committee was appointed accordingly

The House (according to Order) Resolved it self into a Committee of of the whole House to Consider further of the Governors Speech and after some time spent thereing M^r. *Speaker* resumed the Chair & M^r. *Randolph* reported from the Committee That they had had under their further Consideration part of the Governors Speech & were come to a Resolution which they had directed him to report to the House And he read the same in his place and afterwards delivered it in at the Table where the same was read and agreed to and is as follows *viz^t*.

Resolved

Resolved

That a Bill be prepared for the further improving the staple of Tobacco

Ordered

That the Committee for propositions and Grievances do prepare and Bring in the said Bill

Mr. *Randolph* also acquainted the House that he was directed by the Committee to move for leave to sit again

Resolved

That the House will on *Tuesday* next Resolve itself into a Committee of the whole House to Consider further of the Governors Speech—

A Petition of *Rice Hoe* and *George Mason* Gent. ffeoffees of the Land laid out for a Town in the County of *Stafford* was presented to the House and read praying that Leave may be given to bring in a Bill to enable them to sell the said Land the same not being built upon or Inhabitated

Ordered

That the said petition be refered to the Consideration of a Committee to Examin the Matter thereof and to enquire what persons are interested in the said Land and of whom the same was purchased and to report the same with their Oppinion thereupon to the House And a Committee was appointed accordingly.

A Petition of Sundry Inhabitants of the County of *King William* whose names are thereunto Subscribed was refer'd to the House by the Governor and Council and was read praying that a Courthouse for the said County may be built upon the Land of Major *Aylett* and that the said County may not be Divided.

Also—A Petition of *John Butts* and others Justices of the said County whose names are thereunto Subscribed praying that the Court may continue to be held at the place where the same is now held or that the said County may be Divided.

Ordered

That the said petitions be referred to the Consideration of the Committee for propositions & Greivances to examine the Matter thereof and report the same with their opinion thereon to the House—

Ordered

That the Committee for propositions and Greivances do Attend the Governor and desire him to lay before this House The Treaty lately made with the Northern Indians at *Albany* with the Journal of the proceedings upon that Expedition.

Then the House Adjourned till tomorrow mor'ing Eleven of the Clock.

Thursday May the 16th 1723.

MR. *McCarty* acquainted the House that the persons appointed had according to Order Attended the Governor and desired him to lay before this House the Treaty lately made with the Northern Indians at Albany with the Journal of the proceedings upon that Expedition And that the Governor was pleased to say he would take care that the Treaty should be laid before the House but the Journal was not yet in his possession.

Mr. *McCarty* Reported from the Committee to whom the petition of Sundry Inhabitants of the County of *King William* and also the petition of *John Butts* and others Justices of the said County were refered—a Resolution of the said Committee thereupon which he read in his place and afterwards delivered in at the Table where the same was read & agreed to as follows.

Resolved

That the said County be not Divided and that the Court of the said County be continued to be held at the place where the same is now held

A Message from the Governor was deliver'd by Mr. *Robertson*—

Mr. *Speaker*. I am Commanded by the Governor to lay before this House the Treaty lately made with the Northern Indians at *Albany* pursuant to the Message of this House

Ordered

That the said Treaty do ly upon the Table for the perusal of the Members

A Written Message from the Governor & Council was delivered by Mr. *Robertson* as followeth—

Mr. *Speaker and Gentlemen of the House of Burgeffes*

The late Conspiracy discovered among the Negroes to Cut off his Majesty's Subjects has Occasioned the Government takeing some Extraordinary Measures to prevent the Evil Consequence of Suffering those to go at large who are more than Suspected of being deeply engaged in that Horrid design Tho' the Evidence against them being only of their own Condition and Complexion did not amount to a Legal proove to Convict them. If those now in Prison have had the boldness even under a Strict confinement and the Terror of a prosecution to use such Threatening Speeches against the Lives of Gentlemen who appeared Active in disappointing the Execution of their Villanous Schemes (as your House will observe by the Order of the General Court herewith Transmitted has been fully proved against them) it may be Justly feared That if these escape with Impunity not only they but others by their perswasion and Example will be encouraged to more daring Attempts Wherefore the Governor and Council doubt not you will take it into Consideration such proper and effectual means as may remove the Danger of the Country if these slaves are again Set at Liberty, and in such a manner as may be least prejudicial to their Owners

Ordered

That the said Message be taken into Consideration to morrow

Mr. *Braxton* reported from the Committee to whom the petition of *Robt. Stubblefield Peirce Buttler and Paulin Anderson* was refered the matter as it appear'd to them which he read in his place and afterwards delivered it in at the Table where the same was read

Ordered

That Leave be given to bring in a Bill for vesting the free simple Estate of certain Lands whereof the said *Robt. Stubblefield* is seized in free-tail—in the said *Peirce Buttler* and *Paulin Anderson* and for vesting other Lands of greater Value whereof the said *Peirce Buttler* and *Paulin Anderson* are Seized in free simple in the said *Robt. Stubblefield* in freetail And that Mr. *Braxton* Mr. *Johnson* Mr. *Cook* Mr. *Willis* & Mr. *Aylett* do prepare and Bring in the same.

A Petition of Sundry Inhabitants of the Parish of *S^t. Stephens*—in the County of *King* and *Queen* whose names are thereunto Subscribed Being referd from the Governor and Council was read praying that the said parish may be divided into two parishes.

Ordered

That the said petition be referred to the Consideration of the Committee for propositions and Greivances and that they do Examin the Matter thereof and report the same with their Oppinion thereupon to the House—

A Petition of *John Fox* was presented to the House and read, praying that leave may be given to bring in a Bill for Confirming his Title to certain lands in the County of *King William* formerly purchased by his Grandfather *John West* of the *Pamunkey* Indians.

Ordered

That the said petition be referred to the Consideration of a Committee and that they do Examin the Matter thereof and report the same as it shall appear to them to the House—

And a Committee was appointed accordingly

Then the House Adjourned till tomorrow morning Eleven a Clock.

Fryday

Fryday May the 17th 1723.

THE Houfe proceeded to take into confideration the written Meffage from the Governor and Council relating to feveral Negroes now in Goal Suspected to be concerned in the late Conſpiracy and the ſame was read

And the Order of the General Court in the ſaid Meffage mentioned was read.

And M^r Attorney General preſented to the Houſe the Examination of Several Slaves concerning a Conſpiracy and Intended Infurrection of great Numbers of Negroes in the Counties of *Gloſter* and *M'dx* and the ſame were alſo read.

Ordered

That a Bill be brought in for Selling and Tranſporting *Dick* a negro Slave of *Mathew Kemp* Gent. *Dambara Tom* a negro ſlave of *Thomas Smith* Gent. *Sancho Iſaac* and *Jeffery* Negro ſlaves of *Armistead Churchill* Gent. and *Robin* a negro Slave of *John Rodes* planter to ſome of the Iſlands in the *Weſt Indies* at the Charge of the Country for Aſcertaining the Value of them and paying the ſame to their reſpective Owners And for applying the money ariſeing from the ſale of the ſaid Negroes towards reimbursing the Country and that the Committee for propoſitions and Greivances do prepare and bring in the ſaid Bill.

Propoſitions from Sundry perſons whoſe names are thereunto Subſcribed for Chriſtianizing Negro Children and for altering the Manner of proof required by Law of Fornication & Adultery were preſented to the Houſe and read.

Ordered

That the ſaid propoſitions be referred to the Conſideration of the Committee for propoſitions and Greivances and that they doe Examin the Matter thereof and report the ſame with their oppinion thereon to the Houſe.

A Petition of the Major part of the Veſtry and other Inhabitants of the pariſh of *S^t Stephens* in the County of *King* and *Queen*, whoſe names are thereunto Subſcribed being referred from the Governor and Council was read praying the Said pariſh may not be Divided, or if it be that it be Divided higher up than the upper Inhabitants propoſe.

Ordered

That the ſaid petition be referred to the Conſideration of the Committee for propoſitions and Greivances and that they do examin y^e matter thereof and report the ſame with their Oppinion thereon to the Houſe—

A Petition of *James Taylor* was preſented to the Houſe and read praying an Allowance for his Services in Laying out the bounds of the County of *Spotsylvania*—

Ordered

That the ſaid petition be referred to the Conſideration of the Committee for publick Claims and that they do examin the matter thereof and report the ſame with their Oppinion thereupon to the Houſe.

A Bill directing the Tryal of Slaves committing Capital Crimes and for the more effectual puniſhing Conſpiracies & Infurrections of them and for the better Government of Negroes Mulattos & Indians bond or free was read the firſt time and ordered to be read a Second time

Then the Houſe Adjourned till to Morrow Morning eleven a Clock.

Saturday May the 18th 1723

THE Houſe being Acquainted that Col^o *Joseph Smith* attended at the door in Cuſtody of the Meſſenger He was called in to the Bar and M^r Speaker acquainted him with the Matter of M^r *Lomax*'s Complaint againſt him and that the Houſe expected his Anſwer. He ſaid his anſwer was long and that he had a very Treacherous Memory and deſired the leave of the Houſe that he might deliver it in writing and then withdrew

Ordered

Ordered

That the said *Joseph Smith* have liberty to read his Answer at the Bar and then deliver it to the Clerk

And being again called in he read a paper containing his Answer to the said Complaint and delivered the same to the Clerk and then withdrew

Ordered

That the said paper do ly upon the Table and that the same be taken into Consideration on *Tuesday* next.

Ordered

That the said *Joseph Smith* remain in Custody of the Mesinger.

Mr. McCarty reported from the Committee appointed to Inspect the Journal of the last Session of Assembly That the said Committee had drawn up a state of the matters then Depending & undetermined and the progress that was made therein which they had directed him to report to the House And he read the said report in his place & afterwards delivered it in at the Table where the same was read.

Ordered

That *Mr. Daniel McCarty Mr. Geo. Eschridge Mr. Charles Barber Mr. Wm Woodbridge* and *Mr. Charles Grymes* or any three of them with *Mr. Coppidge* and *Mr. Newton* Surveyors or one of them do meet pursuant to an Order of the House of Burgesses at the last Session of Assembly and according to the Evidences which shall be produced to them, lay out the Bounds Between the Counties of *Lancaster & Northumberland* at the Charge of Both Counties and that they report their proceedings to the next Session of Assembly

Ordered

That *Mr. John Holloway Mr. John Clayton & Mr. Archibald Blair* to whom the sum of Two hundred and ten pounds by a resolution of the Last Session of Assembly was ordered to be paid out of the publick Money, for the providing Sundry Ornaments and other things for the use of the Assembly General Court and Council do employ the said Sum according to the said Resolution and Account to the next session of Assembly.

Ordered

That the neglect of the Clerks of the Counties of *Elizabeth City, Richmond Westmorland Lancaster* and *Northumberland* in failing to return to the last session of Assembly the Number of Tithables in their respective Counties be taken into Consideration when the Committee for publick Claims make their Report

Resolved

That the Defects of the laws in force relating to the Clergy and parochial affairs referred to the Consideration of this session of Assembly be referred to the Consideration of the next session of Assembly.

Mr. McCarty also reported from the Committee of propositions and Greivances that the said Committee had Considered several of the propositions and Greivances which have been offered to this Assembly and were come to several resolutions thereupon which they had directed him to report to the House, and he read the Report in his place and afterwards delivered it in at the Table where the same was read and is as followeth.

On Consideration of the several propositions from *Hannover & Prince George* Counties that negroes may be prevented from going abroad Carrying Arms and Convening in great Numbers and that if any should be Killed in reducing them to Obedience they might be paid for out of a Duty to be laid. And of the Greivance from *Northampton* County complaining of the great Numbers of free Negros of which the women pay no Taxes

Resolved

That the same is Sufficiently provided for in a Bill now prepared upon Consideration of the proposition from *Prince George* County

That ear Marks for cattle be recorded and published in the Court house Room wherby stray Cattle may the sooner be restored to their Owners and directing methods therein.

Resolved

Resolved.

That the same be rejected being already provided for by Law.

Upon Consideration of Several propositions from *Hannover County* That the Bill passed concerning horses may be repealed And that Clerks and Sheriffs fees may be reduced or abated

Resolved

That the said propositions be rejected

Upon Consideration of the Greivance from *Northampton County* that they esteem it a hardship that any particular County should pay the Charge of the Condemnation of any Malefactors for facts committed in another County and that the County wherein Facts worthy of Death shall be Committed should bear its own Charge or be the Owners loss onely And of the propositions from the said County That some convenient Towns and Ports might by law be appointed therein.—

And that no person shall Transport any other over the bay without a Certificate first granted them

Resolved

That the same be rejected

Upon Consideration of the proposition from *Westmorland County* That a Chappel of Ease may be erected in the Center thereof at the Charge of the said County

Resolved

That the same be referred to the Consideration of the next session of Assembly

Upon Consideration of the proposition of *Willm Todd* and other Subscribers That a Law be made to bring up Negro Children born in this Country in the Christian Religion

Resolved

That the same be rejected being at present impracticable

Upon Consideration of the proposition from the said persons That that part of the Law for the more Effectual Suppression of Vice which require the Oaths of Two or more witnesses to prove the Offences of Adultery and fornication be repealed and that the Oath of the woman after Conviction with other convincing Circumstances may be Sufficient proof.

Resolved

That the same be rejected such Offences being punishable at the Common Law.

Upon Consideration of the several propositions from *Northumberland* and *Hanover Counties*

That after Tobacco has once been Viewed by a sworn Receiver, as the late Tobacco Law directs, The Owner may not be Compelled to have it afterwards viewed and that the said Law for many Inconveniences therein may be repealed, And of the greivance from *Northampton County* relating to the time of planting Tobacco which is desired may be Altered and further time given or that the said Law may be repealed.

Resolved

That the same be rejected

All the said Resolution[s] (except the last) being Severally read a Second time were agreed unto by the House

The last of the said Resolutions being read a Second time And a Motion being made and the Question being put that the said Tobacco Law be repealed

Resolved in the Affirmative

Ordered

That it be an Instruction to the Committee appointed to prepare and bring in a Bill for the further Improving the staple of Tobacco That they bring in a Clause to be Added to the said Bill for repealing the said Law.

Mr. *McCarty* also reported from the said Committee That they had had under their Consideration the Several petitions of the upper Inhabitants of the Parish of *S^t Stephens* in the County of *King & Queen* and of the Vestry and other Inhabitants of the said Parish

Parish and were come to a Resolution thereupon which they had directed him to report to the House And he read the said Resolution in his place and afterwards delivered it in at the Table where the same was read and agreed to by the House as follows

Resolved

That the said parish be Divided and that the Division begin from Capⁿ *Todd's* Landing along the main Road to *Mattapony* Run and from thence up the Eastermost main Branch of that Run to the County of *Essex* and that a Bill be prepared accordingly

Ordered

That the Committee for propositions and Greivances do prepare and bring in the said Bill.

Then the House Adjourned till *Monday* Morning eleven of the Clock.

Monday May the 20th 1723.

A PETITION of *John Dunwiddy* praying that a ferry may be appointed at his House over *Rappahanock* River was presented to the House and read.

Ordered

That leave be given to bring in a Bill according to the prayer of the said petition and that Mr *Robinson* Mr *W^m Thornton* & Mr *Mason* do prepare and bring in the same.

A petition of *Joseph Smith* was presented to the House & read praying that he may be heard by Council before the Committee of priviledges and elections upon the Complaint of Sundry Inhabitants of the County of *Essex* against him and that the Clerk of the House may be admitted of his Council.

Ordered

That he have leave to be heard according to the prayer of the said Petition

A Bill for the Transportation of *Dick* and other Negro slaves was read the first time and ordered to be read a Second time,

A Bill directing the Tryal of Slaves committing Capital Crimes and for the more Effectual punishing Conspiracies and Insurrections of them and for the better Government of Negros Mulattos and Indians, bond or free, was read the second time & Committed

Then the House Adjourned till tomorrow morning Eleven of the Clock.—

Tuesday May the 21^o 1723.

MR *McCarty* reported from the Committee to whom the Bill directing the Tryal of Slaves committing Capital Crimes and for the more effectual punishing Conspiracies and Insurrections of them & for the better government of Negros, Mulattos and Indians bond or free was Committed Several Amendments made to the Bill which they had directed him to report And he read the Amendments in his place & afterwards delivered the Bill with the Amendments in at the Table where the said Amendments were read and agreed unto by the House

Ordered

That the Bill with the Amendments be Ingrossed

A Petition of *John Lomax* was presented to the House & read praying the leave of the House to Vindicate his Character against the Aspersions cast upon it in the Answer of Col^o *Joseph Smith*

Resolved.

That the said petition be rejected—

Mr *Randolph* reported from the Committee of Priviledges & Elections That the Committee had entered upon the Consideration of the petition of Sundry Inhabitants

of

of the County of *Effex* to them refered and found the same grounded on a petition formerly preferred to the House of Burgeffes in *November* 1720 and that the facts laid down in the petition to this House can't be well Inquired into without considering and Inquiring into the facts of the first petition, And desired the direction of the House therein—

Ordered

That it be an Instruction to the said Committee That they procede only on the Matters Charged in the petition to them referred

Ordered

That it be an Instruction to the Committee appointed to prepare and bring in a Bill for the further improving the staple of Tobacco that they be Impowered to receive a Clause or Clauses for the restraining in some measure the planting of Tobacco

Mr *Willis* (according to Order) presented to the House a Bill for vesting the free simple of Certain Intailed Lands in *Peirce Butler* and *Paulin Anderjon* and for vesting other lands therein mentioned in *Robt. Stubblefield* in fee tail which was read the first time and ordered to be read a Second time.

The Orders of the day being read

Resolved that this House will on *Thursday* next resolve itself into a Committee of the whole House to Consider further of the Governors Speech.

The House proceeded to take into consideration the Answer of Col^o *Joseph Smith* to the Complaint of *John Lomax* and the same was read as follows

Mr. *Speaker*

I am brought hither by your warrant to answer a Petition of of M^r *Lomax* wherein I am Charged with haveing refused to Sit as a Justice of the peace for the County of *Effex* to receive and Certifie a greivance offered and Signed by sundry people of that County contrary to the Law and the duty of my Office

I must observe in the first place that if it be True That I have done anything against Law and my duty I conceive I am punishable by those Laws which I have Offended in another place in some Court of Judicature which hath competent Jurisdiction of the matter.

I am not at all apprehensive of any disadvantage I shall ly under by haveing my Actions Inquired into in any manner whatsoever but am desirous to Justifie my Self as publickly as my Accuser has Charged me and have very great Confidence in the Justice of this House. Yet if the Matter Complained of may be redressed in the ordinary course of Law I submitt whether it be Consistent with the Honour and dignity of this House to interpose their Power and Authority.

Mr. *Speaker*

I own I am a Justice of the peace of the County of *Effex* and did sit as such at the last Court of Claims held for that County until all the Claims of the County were proved and Certified But when the Clerk had read a paper which I found to be a false and Malitious Libel against me, I did rise from the Bench thinking (and I hope very Justly to[o]) That I was not bound by any Law either of God or man to give a Sanction by any Act of mine to a paper so false as that was, and so Injurious to my Character.

If there had been a Sufficient Number of Justices to have made a Court I had some reasons to have Offered against certifying the paper as a Greivance of the people For it was brought in and thrown upon the Table by one *Hawkins* who did not as I remember move to have it certified until I removed from the Bench, It was not signed by any one of the persons whose names are Subscribed to it in the Court as by law it ought to have been And of all that Roll of Subscribers there was not above three or four in Court and I can venture to say that not many of them saw the paper.

And as I knew very well that a former petition of the like nature procured by M^r *Lomax* and by him presented to the last General Assembly had many people's names to it who never saw nor heard its Contents nor knew that their names had been made Use of; as Several of them whose Depositions I have ready to lay before the House have Declared upon Oath, I Judged it would have been a very Irregular proceeding in me to
certifie

certifie that to be a grievance of perſons who did not appear to own their hands and who in all probability might know as little of this paper as others did of the former whole names were ſet thereto.

I hope theſe are Objections of no ſmall weight, And muſt I firſt have Offered them to the Court and afterwards Judged upon them myſelf? Indeed if I had and the reſt of the Court had been of my Opinion My anſwer would ſurely have made it matter of Complaint againſt me that I had been a Judge in my own Cafe And under ſuch an Imputation I ſhould have been in a greater Confuſion than I think I have reaſon to be in my preſent Circumſtances

M^r Speaker

This *Lomax* is my profeſſed Enemy and has got a habit of aſperſing me He has applied himſelf moſt Aſſiduouſly for three Year paſt to ſtir up the people to diſobey and Contemn me both as an Officer of the Militia and a Civil Magiſtrate, And if any of the Subſcribers have been puniſhed they Owe it to him who perſwaded them to Tranſgreſs, He has Inſpired the people with Notions of Oppreſſion which they never felt or thought of and I believe I may ſay he has vexed more people with his Importunities to ſign the Inveſtives which his Invention has brought againſt me than ever I have done by the rigorous proceedings I am taxed with.

I hope *M^r Speaker* while the Houſe are conſidering the liberties of the people they will have ſome regard to Magiſtracy and not ſuffer it to be trampled upon and contemned by the meaneſt of the populace.

Reſolved.

That Col^o *Joſeph Smith* in reſuſing to fit as a Juſtice of the peace of the County of *Effex* to make a Court to certify the Greivances of the people duly offered to the Court of Claims held for the ſaid County before this Seſſion of Aſſembly when he was one of the four members onely then in Court, Hath been guilty of a Breach of his duty in that Office and Intrenched upon the Rights and privileges of the people of the ſaid County.

Ordered

That the ſaid Col^o *Joſeph Smith* be for his ſaid Offence reprimanded by the Speaker.

And he was called in to the Bar and received a Reprimand from the Speaker and was ordered to be diſcharged out of Cuſtody paying fees.

A Bill for the Transportation of *Dick* and Negro Slaves was read the Second time and Committed

Ordered That *M^r Dangerfield* have leave to go home

Ordered That *M^r John Bolling* have leave to be Abſent til *Tuejday* next

Ordered That *M^r Majon* have leave to be Abſent for ten days

Ordered That *Rice Hoe & George Maſon* be at liberty to withdraw their petition in relation to the Town Land in the County of *Stafford* And that the Comitte to whom it was refered be diſcharged from proceeding thereon

Then the Houſe Adjourned till tomorrow morning eleven a Clock

Wednesday May the 22^d 1723.

A BILL intituled *an Act directing the Tryal of Slaves committing Capital Crimes & for the more effectual puniſhing conſpiracies and Inſurrections of them and for the better Government of Negros Mulattos and Indians bond or free* was read the third time

Reſolved That the Bill do paſs.

Ordered

That the Committee for propoſitions and Grievances do carry the Bill to the Council for their Concurrence

A Bill for veſting the ſſee Simple Eſtate of certain Intaled lands in *Peirce Buttler* and *Paulin Anderſon* and for veſting other Lands therein Mentioned in *Rob^t Stubblefield* in

in fleetail was read a second time and Several amendments were proposed to the said Bill and agreed unto by the House

Ordered

That the Bill with the Amendments be Ingrossed

Then the House Adjourned till to morrow Morning Eleven a Clock

Thursday May the 23^d 1723.

MR *Randolph* reported from the Committee of Privileges and elections That the said Committee had had under their consideration the matter of the petition of Divers Inhabitants of the County of *Effex* complaining of great Severities Exercised by Col^o *Joseph Smith* in Levying of fines upon orders of a Court Marshal and he read the report in his place & afterwards delivered it in at the Table where the same was read and is as follows.

This Committee having had under their Consideration the petition of Several Inhabitants of the County of *Effex* complaining of great Severities Exercised by Col^o *Joseph Smith* in Levying of Fines upon orders of a Court Marshal Are of Opinion that the matter complained of relating to the Severity of Levying the fines is True But that those Fines are yet in the hands of the sheriffs of that County and have not been converted to the use of the Militia Officers as the petitioners have suggested

It Appears to this Committee That upon a petition of the like nature the House of Burgeffes on the first of *June* 1722 Addressed the late Governor That he would be pleased to inquire into the proceedings of that Court and that he would remit the fines imposed on such persons who had not Offended in Contempt of the Authority of Government and also that he would shew his dislike and Discountenance such Persons who had Acted contrary to the True intent of the Law to which Address the Governor was pleased to give this answer

I will inquire into the proceedings of the *Effex* Court Marshal and if I find them unwarrantable I shall immediately withdraw my Commission from such Officers as may appear to be the Transgressors But however matters may be proved seeing the House is pleased to favour the case of the petitioners I will shew them all the Lenity that is now Desired even tho' I extend towards them more than I think they deserve.

It also appears to this Committee that in a few weeks after y^e prorogation of that General Assembly The Then Governor undertook his Voyage to *new York* in order to Negotiate a peace with the Northern Indians and that before his return the present Governor was Settled here for which reason we are of Opinion the petitioners were not redressed

Ordered

That an Address be made to the Governor that he will be pleased to relieve the persons grieved by the levying of the said fines and discountenance the said Col^o *Joseph Smith* in such manner as he shall think he deserves and that the Committee of Privileges and Elections do prepare and draw up the said Address.

Ordered

That it be a standing Rule of this House that when any person or persons shall hereafter be summoned by the speakers warrant to appear as witnesses before the House of Burgeffes or any Committee thereof He she or they be not obliged to Attend pursuant to that Warrant until the party at whose request he she or they shall be so summoned to [do] pay or secure to pay him her or than [them] for his her or their Attendance coming and going as Witnesses attending the General Court are by Law Allowed.

Mr. *McCarty* reported from the Committee to whom the Bill for the Transportation of *Dick* and other Negro slaves was Committed Several amendments made to the Bill which

which they had directed him to report to the House and he read the said Amendments in his place and afterwards delivered the Bill with the Amendments in at the Table where the said amendments were read and agreed unto by the House

Ordered

That the Bill with the Amendments be Ingrossed

A Bill intituled *an Act for vesting the feesimple Estate of Certain intailed Lands in Peirce Buttler and Paulin Anderson and for vesting other Lands therein Mentioned in Rob^t Stubblefield in feetail* was read the Third time.

Resolved

That the Bill do pass

Ordered

That M^r *Braxton* M^r *Willis* M^r *Johnson* and M^r *Cook* do carry the Bill to the Council for their Concurrence.

A Petition of the Inhabitants and freeholders of the City of *Williamsburgh* whose names are thereunto Subscribed was presented to the House and read praying that the Jurisdiction of the Court of Hustings of the said City may be enlarged

Ordered

That the said petition do ly upon the Table.

Ordered

That a Committee be Appointed to pass the Treasur^r Accounts and to report the Ballance as the same shall appear to them, and it is referred to M^r *Harrison* and M^r *Blair*

The Orders of the day being read

Resolved

That the House will on *Tuesday* next resolve it self into a Committee of the whole House to Consider further of the Governors Speech—

Then the House Adjourned till to morrow morning Eleven a Clock.

Fryday May the 24th 1723

A PETITION of *John Randolph* praying to be Allowed for fundry Copies of the Journal & Laws of the last session of Assembly was presented to the House and read And was Ordered to be referred to the Committee for public Claims

A Bill intituled *an Act for the Transportation of Dick and other Negro Slaves* was read the Third time

Resolved. That the Bill do pass

Ordered

That the Committee for propositions and Greivances do carry the Bill to the Council for their Concurrence

Then the House Adjourned till to Morrow Morning Eleven a Clock.—

Saturday May the 25th 1723.

A BILL for the better & more effectual Improving the staple of tobacco was read the first time and Ordered to be read a Second time

An Ingrossed Bill from the Council Intituled *an Act for the better Securing the payment of Levies & Restraint of Vagrant and Idle people and for the more effectual discovery and prosecution of persons haveing Bastard Children* was read the first time & Ordered to be read a Second time.

M^r *Randolph* reports from the Committee appointed to prepare and draw up an Address to the Governor (That he would be pleased to relieve the persons complaining against Col^o *Joseph Smith* of his Levying Sundry fines upon them, and to discountenance

nance the said *Joseph Smith* in such manner as he should think he deserves) That the Committee had agreed upon an Ad'refs which he read in his place and afterwards delivered in at the Table where the same was read.

Ordered

That the said Address be taken into Consideration on *Monday* next.

Then the House Adjourned till *Monday* morning Eleven a Clock.

Monday May the 27th 1723

MR *Harrison* Reported that the persons appointed had according to Order Examined the Treasurers Accounts and found the same truly stated and that the Ballance due exclusive of the Sums already appropriated is Nine hundred Twenty six pounds nine shillings one penny And the said Accounts were passed.

Ordered

That Mr *Harrison* and Mr *Blair* do carry the said Accounts to the Council

The House (according to Order) proceeded to take into Consideration the Address to the Governor in relation to the Complaint of Sundry Inhabitants of the County of *Essex* against Col^o *Joseph Smith* and the same being read was agreed to with an Amendment and is as follows.

To the Hon^{bl}. Hugh Drysdale Esq^r. His Majesties Lieut. Governor & Commander in Chief of Virginia—

The Humble Address of the House of Burgeffes

We His Majesties most dutiful and Loial Subjects the Burgeffes now in Assembly humbly take leave to represent to your Honor That Several of the Inhabitants of the County of *Essex* by their petition to us have complained of great Severities exercised on them by Col^o *Joseph Smith* in levying fines upon Orders of a Court Marshal held in that County The Matter of which Complaint being Examined into appears to us to be True and those fines not being yet appropriated We humbly presume that they be disposed of in such manner as you shall See fit.

Therefore in regard to the severe Treatment those persons have met with We humbly beseech you That you will be pleased to relieve them and discountenance the said *Joseph Smith* in such manner as you shall think proper.

Ordered

That the Committee of Privileges and Elections do present the said Address.

Then the House Adjourned till to Morrow morning Eleven a Clock

Tuesday May 28th 1723.

THE several petitions following *Viz*.

A Petition of the Vestry of the parish of *James City* in behalf of themselves & the rest of the Inhabitants of the said Parish praying the same may be enlarged also

A Petition of Sundry Inhabitants & freeholders of that part of *Wilmington* parish which lieth below *Hooker's* Mill praying that that part of the said parish may be Added to the parish of *James City*.

were Referred from the Governor & Council to the House and were read.—And

The Several petitions following *Viz*.

A Petition of the Freeholders & principal Inhabitants of that part of *Wilmington* Parish which lieth on the North side *Chicohominy* river above *Diascum* Creek in *James City* County praying that That part of the said parish may be United to the parish of *S^t. Peter's* in the County of *New Kent*.

Also

Also

A Petition of the freeholders and Inhabitants of that part of *Wilmington* parish which lieth on the South side of *Chicohominy* River in the County of *Charles City* praying that the said parish may be dissolved.

Were presented to the House and read

Ordered

That a Committee be appointed to Examine the Matter of the said petitions and to report the same with their Opinion thereupon to the House, and it is referred to

Mr *Clayton*

Mr *Blair*.....Mr *Maffie*

Mr *Jn^o. Thorton*.....Mr *Stith*

Mr *Broadnax*.....Mr *Harwood*

And they are to meet to morrow Morning in the Chamber appointed for the Committee for public Claims and are impowered to Sit from day to day and to send for persons papers & Records for their Information

A Message from the Council That they have passed a Bill Intituled *an Act for the Transportation of Dick and other Negro Slaves*.

And also a Bill intituled *an Act for vesting the Fee Simple Estate of Certain Intailed Lands in Pierce Buttler and Paulin Anderson And for vesting other Lands therein Mentioned in Robert Stubblefield in fee tail* without Amendments

The Several Petitions following *Viz*:

A Petition of Sundry Inhabitants of the upper part of the County of *James City*

A petition of Sundry Inhabitants of the Lower part of the said County

A petition of Sundry Inhabitants of the Lower part of the County of *New Kent*
And

A petition of Sundry Inhabitants of the upper part of the County of *York* complaining of the inconvenient Length & Situation of the said Counties and praying the same may be conveniently Divided—Also

A petition of Sundry Inhabitants of the County of *Warwick* complaining of the smallness of the said County & praying that the same may be dissolved, Also

A petition of Sundry other Inhabitants of the said County praying that the said County may stand as it is. Also

A petition of Sundry Freeholders and Principal Inhabitants of the County of *York* praying That all proposals for altering the Bounds of the said County may be rejected, Also

A Petition of Sundry Inhabitants of the Lower part of the County of *New Kent* praying that the said County may Continue as it is Were presented to the House and read

Resolved

That the said Petitions be rejected

Mr *Randolph* acquainted the House that the Address to the Governor desiring him to Relieve the Several persons complaining against Col^o *Joseph Smith* and to discountenance him for his proceedings had been presented And that the Governor was pleased to say. He would take care to redress the Grievances of those persons injured by Col^o *Joseph Smith* and would discountenance him as well as all other persons that shall presume to extend their Commands beyond the Limits of the Law.

An Ingrossed Bill from the Council Intituled *an Act for the better securing the payment of Levies & Restraint of Vagrant and Idle people and for the more effectual discovery & prosecution of persons haveing Bastard Children* was read the Second time

Resolved

That the said Bill be committed to the Committee for propositions and Grievances.

A Bill for the better and more effectual Improveing the Staple of Tobacco was read the second time and Comitted

Resolved

Resolved

That this House will to Morrow Resolve it Self into a Committee of the whole House to Consider further of the Governors Speech.

Then the House Adjourned till to morrow morning Eleven a Clock

Wednesday May the 29th 1723.

A PETITION of *Sarah Brechin* was presented to the House & read praying that leave may be given to bring in a Bill for vesting the Fee simple Estate of Two hundred Acres of Land whereof she is Seized in feetail in *W^m Merriwether* of the County of *New Kent* Gent. and for vesting five Negros of the said *W^m Merriwethers* of greater Value in the said *Sarah* in feetail according to an Agreement between them

Ordered

That the said petition be referred to the Consideration of a Committee and that they do examin the matter thereof and report the same as it shall appear to them to the House

And a Committee was appointed Accordingly

The House (according to Order) resolved itself into a Committee of the whole House to Consider further of the Governors Speech & after some time spent therein Mr *Speaker* resumed the Chair and Mr *Randolph* reported from the Committee That they had gone thro' the Governors Speech and were come to several resolutions thereon which they had directed him to report to the House, And he read the report in his place and afterwards delivered it in at the Table where the same was read.

Ordered

That the said report be taken into Consideration to morrow.

Then the House Adjourned till tomorrow Morning Eleven a Clock

Thursday May the 30th 1723.

A WRITTEN Message from the Governor was delivered by Mr *Robertson* as follows—
Mr Speaker and Gentlemen of the House of Burgeesses
 His Majestie having been pleased to Transmit hither An Additional Instruction relating to the Trade & Shipping of *Great Brittain* and haveing commanded me to Communicate the same to the Assembly I Judge it therefore necessary at this your first session to send you a Copy of that Instruction not doubting you will readily conform to his Majesties pleasure signified therein.—

Hugh Drysdale

And the said Instruction was Read,

Mr *Harrison* reported from the Committee for public Claims That the said Committee had had under their Consideration All the public Claims of the Country and had agreed upon a report which they had entered in a book and he delivered the same in at the Table.

Ordered

That the said Book do ly upon the Table.

Mr *William Robinson* reported from the Committee appointed to Examine the Matter of the petition of *John Fox* That the said Committee had had the same under their Consideration and that the said *Fox* had fully proved the Allegations of his said petition

Ordered

That leave be given to bring in a Bill for confirming the Title of the said *John Fox* to Seven hundred and fifty Acres of Land in the County of *King William* formerly purchased of the *Pamunkey* Indians and that Mr *William Robinson* Mr *Merriwether* & Mr *Escribde* do prepare and bring in the same.

Mr

Mr *McCarty* reported from the committee to whom the Bill for the better and more Effectual Improving the staple of Tobacco was Committed, Several amendments made to the Bill which they had directed him to report to the House And he read the Amendments in his place and afterwards delivered the Bill with the Amendments in at the Table where the Amendments were read.

Ordered That the said Amendments be taken into Consideration tomorrow.

Mr. *McCarty* also reported from the Committee to whom the Bill sent from the Council Intituled *an Act for the better Secureing the payment of Levies & Restraint of Vagrant and Idle people and for the more effectual discovery and prosecution of persons having Bastard Children* was Committed Several Amendments agreed upon by the Committee which he read in his place and afterwards delivered the Bill with the Amendments in at the table where the said Amendments were read and agreed to

Ordered

That the Bill with the Amendments be read a third time

And the said Bill with the Amendments was read the Third time

Resolved

That the Bill with the Amendments do pass and

Ordered

That a Committee for propositions and Greivances do carry back the said Bill with the Amendments to the Council for their Concurrence.

Mr *John Thornton* Reported from the Committee appointed to Examin the matter of the petition of *Sarah Brechin* that the said Committee had had the same under their Consideration and that the Allegations of the said petition had been fully proved to them

Ordered

That Leave be given to bring in a Bill for vesting the free simple Estate of 200 Acres of Land in the County of *Hanover* whereof the said *Sarah Brechin* is Seized in free tail in *W^m Merriwether* of the County of *New Kent* Gent. And for vesting five Negros of the said *William* of greater value in the said *Sarah* in free tail And that Mr. *Jn^o Thorton*, Mr *Masse*, Mr *Harris*, Mr *Aylett* & Mr *Whitehead* do prepare and bring in the said Bill.

Ordered

That the Consideration of the report of the Committee of the whole house made upon the further Consideration of the Governors Speech be Adjourned till to morrow.

Then the House Adjourned till to morrow morning eleven of the Clock.

Fryday May the 31^o 1723.

ORDERED That Mr *Crafford* have leave to be Absent till *wednesday* next.

The House (According to Order) proceeded to take into Consideration the Amendments made to the Bill for the better and more effectual Improving the staple of Tobacco and the said amendments were read and (with an Amendment) agreed to and other Amendments were made to the said Bill at the Table.

Ordered

That the Bill with the Amendments be Ingrossed.

The House (according to Order) proceeded to take into Consideration the Resolutions of the Committee of the whole House upon the further Consideration of the Governors Speech and the same being read were agreed to by the House with some Amendments as follows

Resolved

That a Duty be laid on Liquors and slaves Imported.

Resolved

That the Duties be as follow, To wit, On Rum, Brandy and other distilled Spirits and on Wine, four pence, a Gallon, On Cyder bear and Ale one Penny a Gallon, On Slaves Forty shillings each slave.

Resolved

Resolved

That all the Liquors importēd in Veffels solely belonging to the Inhabitants of this Country fhall be liable to no more than half the Duties afforementioned

Resolved

That when any perfon fhall pay the duties afforefaid with money of his own Importation a Difcount of fifteen 7/8 Cent. fhall be Allowed him on all Duties fo paid.

Ordered

That the Committee for propofitions and Greivances do prepare and bring in a Bill purfuant to the faid Refolutions

Then the Houfe Adjourned till to Morrow morning Eleven a Clock.

Saturday June the 1^o 1723

A BILL intituled *an Act for the better and more effectual Improveing the ftaple of Tobacco* was read the Third time and fome amendments being made at the Table

Resolved. That the Bill do pafs—

Ordered

That the Committee for propofitions and Greivances do carry the Bill to the Council for their Concurrence.

A Written Meffage from the Governor was delivered by Mr *Robertfon*, as follows
Mr. Speaker and Gent^{rs} of the Houfe of Burgefles.

Upon Examination of the Arms in the Magazine and Governors Houfe I find great part of them very much out of Repair And in the Condition they now are Unfit for Service

As thefe Arms were at firft given by the Crown for the defence of the Country and are Lodged there to be ready on any Suddain Emergency You will I hope concur with me in Opinion That they be made fit for public Service at the publick Charge And as I have caufed a Survey of them to be made I Judge the fum neceffary for this purpofe (as near as it can be Computed) may Amount to One hundred pounds And that no further Charge may Accrue on this Account I have a propofal from a perfon able to give £ 2000. Security to keep them in good Order hereafter for the Annual Salary now eftablifhed on the Armourer and keeper of y^e Magazine

This Expençe being fo neceffary for the public fafety I doubt not you will Chearfully come into it efpecially when you confider how great a Charge has lately been defrayed out of the King's Revenue for Batteries to defend your Rivers and how much fuch a Supply of Serviceable Arms is wanting to fit out your Militia whenever they fhall be called together for the defence of the Country

Hugh Dryfdale

Resolved

That this Houfe will take the faid Meffage into Confideration on *Tuesday* next.

A Meffage from the Council that they have agreed to all the Amendments made by the Houfe to the Bill fent down from them Intituled *An Act for the better Secureing the payment of Levies and Reftraint of Vagrant and Idle people and for the more Effectual Difcovery and profecution of Perfons haveing Bastard Children* Except the firft from which they defire the Houfe to recede.

Resolved. That this Houfe doth agree to leave out the faid Amendment.

Ordered.

That a meffage be fent to the Council to Acquaint them that this Houfe hath agreed to leave out their Amendment (to which the Council have not agreed) to the faid Bill and that the Committee for propofitions and Greivances do go up with the Meffage.

A Complaint being made by Mr *Mathew Kemp* a Member of this Houfe of a breach of privilege committed againft him by One *William Hopkins* in uttering in a public Company

Company several rude Contemptuous and undecent Expressions concerning the said Mr. *Kemp's* Conduct in the House.

Ordered.

That the said *William Hopkins* be sent for in Custody of a Messenger Attending this House to answer at the bar of the House his breach of privilege in Uttering several rude Contemptuous and Undecent Expressions concerning the said Mr. *Kemp's* Conduct in this House.

Mr. *John Thorton* (According to Order) presented a Bill for vesting the free simple Estate of certain intailed Lands in *W^m Merriwether* Gentⁿ and for Vesting five Negro Slaves therein Mentioned in *Sarah Brechin* & the heirs of her body which was read the first time & ordered to be read a Second time.

Then the House Adjourned till Monday morning Eleven a Clock.

Monday June the 3^d 1723

MR *William Robinson* (According to Order) presented a Bill for Confirming the Title of *John Fox* Gent. to Certain Lands formerly purchased of the *Pamunky* Indians which was read the first time and ordered to be read a Second time

A Bill for vesting the free simple Estate of certain untailed Lands in *W^m Merriwether* Gent. and for vesting five Negro Slaves therein Mentioned in *Sarah Brechin* and the heirs of her body was read the Second time and an Amendment being made at the Table

Ordered

That the Bill with the Amendment be Ingrossed.

Ordered

That a Bill be brought in for Reviving the Act (made in the fourth Year of the Reign of the Late Queen *Anne*) for Security & Defence of the Country in times of Danger and that the Committee for propositions and Greivances do prepare and bring in the said Bill.

Then the House Adjourned till to Morrow morning Eleven a Clock.

Tuesday June the 4th 1723.

A BILL for the Settling and better Regulation of the Militia was read the first time and ordered to be read a Second time.

The House (According to Order) proceeded to take into Consideration the Governors written Message relating to the Arms in the Magazine and Governors House and the same being read

Resolved

That the sum of One hundred pounds out of the public money in the hands of the Treasurer be paid to the Governor to be Employed in repairing the Arms in the Magazine and Governors house—

Ordered

That the Committee for propositions and Greivances do prepare and draw up an Answer to the said Message

A Bill for confirming the Title of *John Fox* Gent to certain Lands formerly purchased of the *Pamunky* Indians was read the Second time

Ordered

That the Bill be Ingrossed

A Bill intituled *an Act for vesting the free simple Estate of certain Intailed Lands in W^m Merriwether* Gent and for Vesting five Negro slaves therein Mentioned in *Sarah Brechin* and the heirs of her body was read was read the Third time.

Resolved

Resolved

That the Bill do pass.

Ordered

That the Committee who prepared the said Bill do carry the same to the Council for their Concurrence

Ordered

That leave be given to bring in a Bill for enlarging the Jurisdiction of the Court of Hustings in the City of *W^mburgh* within the Limits of the said City and that Mr *Clayton* and Mr *Blair* prepare and bring in the same.

Then the House Adjourned till to morrow Morning Eleven a Clock—

Wednesday June the 5th 1723.

A MESSAGE from the Council that they have made some Amendments to the Bill intituled *An Act directing the Tryal of Slaves committing Capital Crimes and for the more Effectual punishing conspiracies and Insurrections of them and for the better Government of Negros Mulattos and Indians bond or free to which they desire the Concurrence of this House*

The petitions of Sundry Inhabitants of the parish of *Wilmington* in the Counties of *Charles City* and *James City* whose names are thereunto Subscribed were presented to the House and read praying the said parish may not be Divided or dissolved.

Ordered

That the said petitions be referred to the Consideration of the Committee to whom the petitions of divers other Inhabitants of the said parish and the parish of *James City* are referred.

A Paper subscribed by divers other Inhabitants of the said parish of *Wilmington* was also presented to the House and Read—Setting forth how much they are dissatisfied with the proposals for dividing or Dissolving the said parish—

Resolved

That it is the Opinion of the House that the said paper is drawn up in terms very rude and undecent. And

Ordered.

That the same be torn & Thrown under the Table.—

A Bill for Laying a Duty on Liquors and slaves was read the first time and ordered to be read a Second time.

A Bill for reviving the Act intituled *an Act for Security and defence of the Country in times of Danger* was read the first time and ordered to be Read a Second time.

A Petition of the keepers of the Ferry over *James River* at *James Town* and *Swans Point* was presented to the House and read praying That the price for the Ferriage of a man and a horse may be raised to three bitts.

Resolved

That the said petition be rejected.

A Bill intituled *an Act for Confirming the Title of John Fox to certain Lands formerly purchased of the Pamunkey Indians* was read the Third time and an Amendment being made at the table.

Resolved

That the Bill do pass

Ordered

That the Committee who prepared the said Bill do carry the same to the Council for their Concurrence.

The House proceeded to take into Consideration the Book of Claims and part thereof being read and agreed to

Ordered

Ordered

That the further Consideration thereof be Adjorned

Then the House Adjorned till to morrow Morning Eleven a Clock.

Thursday June the 6th 1723.

MR *McCarty* reported from the Committee to whom it was referred to prepare and draw up an Answer to the Governors written Message of the First Instant An Answer drawn up in form of an Address by the Committee which he read in his place and afterwards delivered it in at the Table where it was read and agreed to and is as follows.

*To the Hon^{ble} Hugh Drysdale his Majesty's Lieu^t. Govern^t. of Virginia,
May it please yo^r. Hon^r.*

The Burgesses having taken into Consideration your Honours Message of the first instant humbly beg leave to return Your Honour the thanks of this House for the care you have been pleased to take in Inspecting the Arms in your House & the Magazines.

And as we are Satisfied those Arms cannot be of Service in the Condition they now are We have unanimously resolved to give the Sum of One Hundred pounds to be laid out in putting them in putting them into repair in such manner as to your Honour shall Seem proper not in the least doubting you will give such direction for the Ordering those Arms as may render them Usefull for the Service of the Country.

Ordered

That the said Address be fairly Transcribed and presented by the Committee for propositions and greivances

The House proceeded to take into Consideration the Amendments made by the Council to the Bill intituled *an Act directing the Tryal of Slaves Committing Capital Crimes and for the more effectual punishing Conspiracies and Insurrections of them and for the better Government of Negros Mulatto's and Indians bond and free* And the said Amendments being severally read some of them were agreed to and some disagreed to by the House.

Ordered

That a Message be sent to the Council to desire them to pass the said Bill with the Amendments Agreed to by this House and that the Committee for propositions and Greivances do go up with the Message

A Bill for the Settling and better regulation of the Militia was read the Second time and Committed

A Bill for Laying a duty on Liquors and Slaves was read the Second time.

Ordered

That the Bill be Ingrossed.

A Bill for reviving the Act intituled *an Act for Security and defence of the Country in times of Danger* was read the Second time

Ordered

That the Bill be Ingrossed.

Then the House Adjorned till to morrow morning Eleven a Clock—

Fryday June the 7th 1723.

THE House being acquainted That Mr *William Hopkins* attended at the door in Custody of Messenger to Answer His Breach of Privilege against Mr *Kemp* a Member of this House in uttering Several rude contemptuous and undecent Expressions concerning Mr *Kemps* Conduct in this House.

He was called in to the bar and being by the Speaker Acquainted with the Complaint against him he said he could give no particular Answer to so general a Charge and unless

he

he knew the words which he was Charged with Speaking did not know whether he was rightly Accused or not But when he should know the particular matter whereof he was Accused he did not Doubt Justifying himself, and then withdrew

Resolved

That this House is Satisfied that the said *W^m Hopkins* is Guilty of the said Breach of Privilege

And he was again called in to the bar and standing in an Insolent posture was ordered to withdraw And did withdraw Accordingly.

Ordered

That the said *William Hopkins* be brought to the bar and that he there upon his knees acknowledge his Offence and ask pardon of this House and *Mr. Kemp* for his said Breach of privilege And to the end his submission may be public

Ordered

That the Doors be Opened

And he was accordingly brought to the Bar and being acquainted by the Speaker with the Order of the House Refused to make any such Acknowledgment or to ask pardon & withdrew.

Ordered

That the said *W^m Hopkins* remain in Custody of the Messenger until further Order

A Message from the Council that they have made some Amendments to the Bill intituled *an Act for the better and more Effectual Improving the staple of Tobacco* to which they desire the Concurrence of this House

And that they have passed a Bill intituled *an Act for vesting the Fee simple Estate of certain intailed lands in W^m Merriwether Gent. and for vesting five negro Slaves therein Mentioned in Sarah Brechin and the Heirs of her Body* without Amendments.

A Bill for dividing the parish of *S^t Stephens* in the County of *King and Queen* was read the first time and ordered to be read a Second time

Mr. McCarty reported from the Committee to whom the Bill for the better Settling and Regulation of the Militia was committed Several amendments made to the Bill which they had directed him to report to the House And he read the Amendments in his place and afterwards delivered the Bill with the Amendments in at the Table where the said Amendments were read and (with an Amendment) agreed to by the House

Ordered

That the Bill with the Amendment be Ingrossed.

The House proceeded to the Consideration of the Book of Claims and the same being read thro' was agreed to.

Then the House adjourned till to morrow morning Eleven a Clock.

Saturday June the 8th 1723.

A BILL intituled *an Act for Levying a Duty on Liquors & Slaves* was read the Third time.

Resolved

That the Bill do pass.

Ordered

That the Committee for propositions and Greivancies do carry the Bill to the Council for their Concurrence

A Message from the Council that they have passed the Bill intituled *an Act for confirming the Title of John Fox Gent to certain Lands formerly purchased of the Pamunky Indians* without any Amendments.

The House upon a Motion [took] into Consideration the Insolent Behaviour of *W^m Hopkins* at the bar of the House and his Contempt of the Authority of the House Yesterday.

Ordered

Ordered

That the said *W^m Hopkins* be led thro' the Town in Custody of the Messenger by the Door Keepers of this House Attended by the Constables of the Town, from the Capitol Gate to the College Gate and back again with an Inscription in great Letters pind upon his Breaſt in the following words ["For Insolent Behaviour at the Bar of the House of Burgeſſes when he was there as an Offender and with obſtinacy and Contempt diſobeying their Order"] And in caſe he ſhall reſuſe to walk that he be Tied to a Cart and Drawn thro the Town, And that he be afterwards committed to the public Goal in *Will^mſburgh* The Keeper whereof is hereby required to receive and there ſafely to keep him during the pleaſure of this Houſe.

Ordered

That *Mr Francis Thornton* have leave to go home for recovery of his Health.

A Bill intituled *an Act for reviving an Act Intituled an Act for Security and defence of the Country in times of Danger* was read the Third time

Resolved

That the Bill do paſs.

Ordered

That the Committee for propoſitions and Greivances do carry the Bill to the Council for their Concurrence.

Ordered

That the Bill for dividing the pariſh of *S^t S[t]ephens* in the County of *King and Queen* be read a Second time on *Tueſday* next.

A Motion being made in behalf of *W^m Hopkins* that he may have leave to petition this Houſe for a Mitigation of his puniſhment and the Queſtion being put

Resolved in the affirmative and

A Petition of the ſaid *W^m Hopkins* was brought up to the table and read, Exprefſing his ſorrow for his Offence and praying to be Admitted to Undergo the Censure of the Houſe according to the order of Yeſterday

Ordered

That the ſaid petition be taken into Conſideration on *Monday* next

Then the Houſe Adjourned till *Monday Morning Eleven a Clock*—

Monday June the 10th 1723.

A PETITION of *W^m Hopkins* was preſented to this Houſe and read Exprefſing his Sorrow for the Offence he had given the Houſe and praying the mercy of the Houſe towards him

Ordered

That the ſaid *W^m Hopkins* be immediately brought to the bar of the Houſe.

The Houſe proceeded to take into Conſideration the Amendments made by the Council to the Bill intituled *an Act for the better and more Effectual Improving the ſtaple of Tobacco* which were Severally read and ſome of the ſaid Amendments were agreed to without, and ſome with Amendments, and ſome were diſagreed to by the Houſe

Ordered

That a Meſſage be ſent to the Council to deſire them to paſs the ſaid Bill with the ſaid Amendments as the ſame are agreed to by this Houſe and that the Committee for propoſitions and Greivances do go up with the Meſſage.

The doors being opened *Mr W^m Hopkins* was brought to the bar and being upon his knees was told by the Speaker that the Houſe, notwithstanding his former behaviour was diſpoſed to remit part of his puniſhment Upon his Acknowledging his Offence & asking pardon in that poſture in ſuch words as were by direction of the Houſe drawn up which he did as follows

Mr Speaker

I do acknowledge I did behave myſelf rudely to *Mr Kemp* one of the Members of this Houſe for which I did Juſtly incurr the Diſpleaſure of the Houſe I do alſo Acknowledge

edge that at the bar of this House my Conduct was undecent obstinate and Insolent whereby I have much Added to my first Offence and do deserve severe correction and am very thankfull for the favorable Mitigation of my Just punishment.

I am heartily sorry for this my rash undecent and Obstinate behaviour I do sincerely beg pardon of Mr. *Kemp* for my Offence towards him and of the whole house for the very great Trouble & Offence I have given them And I do faithfully promise you Mr. *Speaker* and this whole House That I will from this time carefully shew a decent Respect to every member of this House and do earnestly intreat their good will.

Then the said *W^m Hopkins* was ordered to be discharged out of Custody paying fees.

Mr. *Kemp* acquainted the House he had some proposals to make touching the payment of all Debts Salaries and fees payable in Tobacco and for disposing of the sum of £4,000. part of a greater Sum appropriated by Act of Assembly made at the last sessions for encouraging the making tar & hemp in Arming the Militia, And that he had Committed some things which Occurred to his thoughts upon these heads to writing which he prayed might be received and the same was brought up to the table and read.

Ordered

That the same do ly upon the Table.

Then the House Adjourned till to morrow morning Eleven a Clock.

Tuesday June the 11th 1723.

A MESSAGE from the Council that they Insist upon their Amendments to the Bill intituled *an Act for the Tryal of Slaves Committing Capital Crimes and for the more Effectual punishing Conspiracies and Insurrections of them and for the better Government of Negroes Mulattos and Indians bond or free* which were disagreed to by this House and that they desire this House to recede from their disagreement and to pass the Bill as amended.

And the Question being put for receding from the disagreement to the said amendments.

It passed in the Negative

Ordered

That a further Message be sent to the Council to desire them to pass the Bill without those Amendments and that the Committee for propositions and Greivancies do go up with the said Message

A Bill for dividing the parish of St. *Stephens* in the County of *King* and *Queen* was read the Second time

Ordered

That the Bill be Ingrossed

A Bill intituled *an Act for the Settling and better Regulation of the Militia* was read the Third time and an Amendment being made at the table

Resolved

That the Bill do pass

Ordered

That the Committee for propositions and Greivancies do carry the Bill to the Council for their Concurrence.

Ordered

That the several sums following be paid of the public money in the hands of the Treasurer to the respective Officers of this Assembly.

To Mr. *Jⁿ Randolph* Clerc of the House of Burgesses for a Copy of the

Journal of this Session delivered to the Speaker. £2 .. 10 .. —

To the said *Jⁿ Randolph* for his Service in the said Office this Session. 100 .. 0 .. —

To Mr. *W^m Robertson* Clerc of the General Assembly for his Service this

Session. 50 .. 0 .. —

To

To Mr. <i>Godfrey Pole</i> Clerc of the Committee for propositions and Greivances.....	40 .. 0 .. —
To Mr. <i>Miles Cary Junr</i> Clerc of the Committee for public Claims.....	40 .. 0 .. —
To Mr. <i>LeNeve</i> Chaplain to the House.....	20 .. 0 .. —
To <i>James Shields</i> Messenger.....	16 .. 0 .. —
To Mr. <i>Richard Hickman</i> for the Doorkeeper of the Council.....	10 .. 0 .. —
To <i>James Hassel</i>	
<i>Nicholas Wager</i>	
<i>Robt. Dyer &</i>	
<i>Wm Francis</i>	
Ordered	
Doorkeepers. £7 .. 10 .. — each.....	30 .. 0 .. —

That the said Allowances be Added to the book of Claims & that the Committee for public Claims do carry the same to the Council for their Concurrence.

A petition of *John Brush* being referred from the Governor & Council was read praying some Allowance for a Hurt received by firing the Great Guns on the Anniversary of his Majesties Birth day.

Resolved

That the same be rejected

Then the House Adjourned till to Morrow Morning Eleven a Clock.—

Wednesday June the 12th 1723

ORDERED

That Mr. *John Holloway* and Mr. *John Clayton* who have the care of Repairing the Capitol do cause all the windows in the Chambers upon the first and Second floor of the Capitol to be made to run with Leads and that the Charge thereof be paid of the public money now in the hands of *Peter Beverley Esq*; Treasurer of *Virginia*—

Ordered

That Mr. *Blair* and Mr. *Merriwether* do carry the Order to the Council for their Concurrence

Mr. *Clayton* reports from the Committee to whom the Several petitions relating to the Dividing & Dissolving the parish of *Wilmington* in the Counties of *Charles City* & *James City* was referred the Matter as it appeared to the said Committee

Ordered

That leave be given to bring in a Bill for dissolving the said parish of *Wilmington* and for uniting the same to the parishes of *James City*, *Blijland*, *S^t Peters* and *Westover* in y^e Counties of *James City New Kent*, & *Charles City* And that the said Committee do prepare and bring in the said Bill

Mr. *McCarty* reports from the Committee for propositions & Greivances that the said Committee had had under their Consideration several propositions and Greivances and had agreed upon a report which he read in his place and afterwards delivered in at the Table where the same was read and is as follows.—*Viz*.

Upon Consideration of the Several propositions from *Accomack County* That persons being Sumoned as wittnesses before a Single Justice may be paid by the parties cast and that every County on the public Charge may bear their own Expence.

Resolved

That the said propositions be rejected

On Consideration of the Several Grievances from *King William* and *Accomack Counties* complaining of many hardships in the Tobacco Law made last Year and praying the same may be amended or repealed.

Resolved

That the said Grievances are provided for by a bill already brought in

On

On confideration of the Greivance from *King* and *Queen* County and propofition that all Transfer Tobacco may be received at public Rolling houfes and Weights and Scales be provided by Receivers to be appointed at fuch Houfes and that all Tobacco Received may be Viewed by them And that fuch Receivers may give good Security for the True difcharge of their Truft and have proper fees allowed them.

Refolved

That the fame be rejected

On Confideration of the propofitions from the faid County That a Law may be made to Encourage the making of Linnen & Cotton Cloath and a reward allowed for every yard thereof to be made And that an Encouragement be given to white perfons importing themfelves hither and for importation of white fervants

Refolved

That the fame be rejected

On confideration of the propofition from the faid County That a Law may be made to Impower two or more Juftices in each County to bind out Vagrant and Idle perfons.

Refolved

That the fame is fufficiently provided for in the Bill brought in this Seflion

On Confideration of the feveral propofitions from *King* and *Queen* and *Hanover* Counties That a Large Impofition be Laid on Negros Imported and that a Law be made for laying a Duty on Liquors and Slaves.—

Refolved

That the fame are Sufficiently provided for by a Bill brought in this feflions

On Confideration of the propofitions from *Middlefex* County that Veftries may by law be reftained from levying more Tobacco than is declared Lawful and that the freeholders of Every parifh have liberty to Eleét fix honeft Houfekeepers Yearly to fit & have equal Voices with the Veftries in laying the parifh Levies

Refolved

That the fame be rejected

On Confideration of the propofition from *Alexander fforb's* Clerc for reftaining and punifhing Blafphemous wicked and diffolute perfons and directing methods therein

Refolved

That the fame is already provided for by Law.

Upon Confideration of the propofitions from the faid *Alexander fforbes* that no Vagabond Couple be Suffered to Cohabit under Colour of a Marriad State without Exhibiting Credible Teftimony to Certifie their Marriage and the Lawfullnefs thereof

Refolved

That the fame be referred to the Confideration of the next Seflion of Affembly.

On Confideration of the propofition from the faid M^r. *fforbes* That fit perfons only be Allowed to teach in private Schools and that a Method may be prefcribed for Examining Licencing and Overfeeing private School Mafters

Refolved

That the fame be rejected

A Confideration of the Greivance and propofition from the faid M^r. *fforbes* Complainig of the Extravegant bounds of the two parifhes in *Surry* Two parifhes in the *Isle of Wight*, and One parifh in *Nancemond* Countys fome of which are Seventy Miles in length and propofing their bounds may be limited and that the remote Inhabitants from the Churches already built may be Supplied with fome sober Capable perfon to read Divine Service in Such remote parts till their Numbers increafe to make a Compleate parifh

Refolved

That the fame be rejected

On confideration of the Greivance and propofition from the faid M^r. *fforbes* complainig of the hardfhips impofed by the Collectors of Minifters Salaries and propofing parifh Levies may be Tranfported by the people to fuch certain Convenient places

as the Minifters & Veftry fhall appoint And that the fame may be paid in the Months of November and december Yearly.

Refolved

That the fame be rejected

The faid Report being again read was agreed to by the Houfe

A Message from the Council that they defire a free Conference to Morrow Morning at Eleven a Clock in the Conference Chamber touching the Amendments by them made to the Bill intituled *an Act directing the Tryal of Slaves committing Capital Crimes and for the more Effectual punishing Conspiracies and Infurrections of them And for the better Government of Negros Mulattos and Indians bond or free* which this Houfe hath difagreed to and that they have Appointed three of their Members to be Managers And that they have agreed to leave out all the Amendments by them made to the Bill intituled *an Act for the better and more Effectual Improving the Staple of Tobacco* which are Difagreed to by this Houfe Except that for ftriking out the Repealing Clause which they do Infift upon And alfo that they have agreed to the Amendments made by this Houfe to their Amendments.

Refolved

That this Houfe will meet the Council at a free Conference at the time and place Appointed

Ordered

That—M^r. Clayton

M^r. Blair

M^r. Braxton

M^r. Boufh

M^r. Gray &

M^r. Dangerfield

Do attend and Manage the Conference.

Ordered

That the faid Managers do acquaint the Council that this houfe hath agreed to meet them at a free Conference to morrow at Eleven a Clock in the Conference Chamber.

A Bill intituled *an Act, for dividing the Parifh of S^t. Stephens in the County of King and Queen* was read the third time and a Blanc in the faid Bill being filled up.

Refolved

That the Bill do pafs

Ordered

That the Committee for propofitions and Greivances do carry the Bill to the Council for their Concurrence

Refolved

That this Houfe doth aggree to ftrike out the repealing Clause in the Bill Intituled *an Act for the better and more Effectual Improving the ftaple of Tobacco*.

Ordered

That a Message be fent to the Council to Acquaint them that this Houfe hath agreed to ftrike out the faid repealing Clause and that the Committee for propofitions and Greivances do go up with the Message.

Then the Houfe Adjourned till to Morrow Morning Eleven a Clock

Thursday June the 13th 1723

MR Clayton reports from the free Conference had with the Council the fubftance of what was delivered at the Conference.

The Houfe took the fame into Confideration, And The Queftion being put that leave be given to propofe Amendments to the Amendments made by the Council to the Bill intituled *an Act directing the Tryal of Slaves Committing Capital Crimes and for the more effectual punishing Conspiracies and Infurrections of them and for the Better Government of Negros Mullatto's and Indians bond or free*.

Refolved in the Affirmative

Ordered that the further Confideration of the faid Report be Adjourned till to-morrow.

Refolved

Resolved

That the Salaries of the Burgeffes and all the Charges of this Session of Assembly be paid out of the public Money in the hands of *Peter Beverley Esq^r* Treasurer at the Rate of 10^s 3^d hundred for Tobacco.

A Bill for Inlarging the Jurisdiction of the Court of Huftings in the City of *Williamsburgh* within the Limits thereof was read a Second time

Ordered

That the Bill be Ingrossed

A Bill for diffolving the parish of *Willmington* in the Counties of *James City* & *Charles City* and Adding the same to other parishes was read the first time and Ordered to be read a Second time

Then the House Adjourned till to morrow Morning Eleven a Clock—

Fryday June the 14th 1723.

A WRITTEN Message from the Governor and Council was delivered by *M^r Robertson* as follows

M^r Speaker and Gentlemen of the House of Burgeffes

A Memorial having been laid before us by *John Carter Esq^r* Secretary of this Colony Setting forth the Danger to which the Records & papers in his Office are Exposed by the Damps in that Office Occasioned for want of Chimneys therein, We think it proper to Signifie to your House That We are of Opinion the Building Chimneys to that and the other Offices kept in the Capitol is Absolutely necessary for the preservation of the Records and recommend to your House to take proper Measures for that purpose and for defraying the Necessary Charge thereof.

And the said Memorial being read

Resolved

That *M^r John Holloway M^r John Clayton* and *Archibald Blair* be Impowered to agree with workmen to build two stacks of Chimneys with two Fire places in each Chimney at the North end of the Capitol And that the Charge thereof be defrayed out of the public Money in the hands of *Peter Beverley Esq^r*.

A Message from the Council That they have passed the Bill intituled *an Act for laying a Duty on Liquors and Slaves—*

And Also the Bill intituled *an Act for reviving the Act Intituled an Act for Security and Defence of the Country in times of Danger* without any Amendments

Ordered

That a Bill be brought in for appointing the Speaker of this House Treafurer of the Duties in [on] Liquors and Slaves and that the Committee for propositions and Greivances do prepare and bring in the same

A petition of *Chichlly Corbin Thacker* was presented to the House and read praying that his public Claim may be paid in money instead of Tobacco. And the same was rejected

A Bill for diffolving the parish of *Wilmington* in the Counties of *James City* and *Charles City* and for Adding the same to other parishes was read the Second time

Ordered

That the Bill be Ingrossed

A Bill intituled *an Act for Inlargeing the Jurisdiction of the Court of Huftings in the City of Williamsburgh within the Limits thereof* was read the third time

Resolved

That the Bill do pass *nemine Contradicente*

Ordered

That *M^r Clayton* and *M^r Blair* do carry the bill to the Council for their Concurrence.

Ordered

Ordered

That the further Consideration of the Report from the free Conference with the Council be Adjourned till to Morrow Morning

Then the House Adjourned till to Morrow Morning eleven a Clock.

Saturday June the 15th 1723.

ORDERED

That Mr Aylet have leave to go home

A Message from the Council that they have made some Amendments to the Book of Claims to which they desire the Concurrence of this House.

An Ingrossed Bill from the Council intituled *an Act for Remedying divers inconveniences arising by the Unseasonable shipping of Tobacco* was read the first time and Ordered to be read a Second time.

The Amendments made by the Council to the Book of Claims being read were agreed to by the House.

Ordered

That a Message be sent to the Council to Acquaint them that this House hath agreed to the Amendments by them made to the Book of Claims and that the Committee for public Claims go up with the Message.

The Several petitions of *Chichely Corbin Thacker & James Shields* being referred from the Governor and Council were read praying that their public Claims may be paid in money.

Resolved

That the said petitions be rejected

The House took into Consideration the report from the Conference with the Council touching their Amendments to the Bill intituled *an Act directing the Tryal of Slaves committing Capital Crimes and for the more effectual punishing conspiracy and Insurrections of them and for the Better Government of Negros Mulatto's and Indians bond or free.*

And some Amendments to the said Amendments being proposed were agreed unto by the House

Ordered

That a Message be sent to the Council to Acquaint them that this House hath made some Amendments to their Amendments to the said Bill and to desire their Concurrence to the same And that the persons who Managed the Conference do go up with the Message.

A Message from the Council that they have passed the Bill intituled *an Act for dividing the parish of St. Stephens in the County of King and Queen* without any Amendment.

And also that they have passed the book of Claims and obtained the Governors Assent to it.

A Bill intituled *an Act for dissolving the parish of Wilmington in the County of James City and Charles City and for Adding the same to other parishes* was read the Third time

Resolved

That the Bill do pass.

Ordered,

That the Committee who prepared the said Bill do carry the same to the Council for their Concurrence.

Ordered

That a Committee be appointed to proportion y^e public Levy of the following persons viz^t.

Mr. Escribde

Mr. Ball

Mr. Barber &

Mr. Joseph Godwin.

A Message from the Council that they have agreed to the Amendments made by this House to their Amendments to the Bill intituled *An Act directing the Tryal of Slaves committing capital Crimes, and for the more effectual punishing Conspiracies & Insurrections of them & for the better Government of Negros Mulatto's & Indians bond or free* And that they have passed the Bill as amended

Then the House Adjourned till to Monday Morning Eleven a Clock.

Monday June the 17th 1723.

ORDERED

Upon Debate that it be an Instruction to the Committee appointed to prepare and bring in a bill for appointing a Treasurer to bring in a Clause or Clauses to be Added to the said Bill for enforcing the payment of the Several Sums ordered by this House for repairing the Windows and building of Chimneys in the Capitol and for paying the Burgeffes Salaries & other Charges of this Session of Assembly out of the public money in the hands of *Peter Beverley Esq^r* now Treasurer And also for Obleidging the said *Peter Beverley* to pay all the Money remaining in his hands at the end of this session of Assembly into the hands of the Treasurer to be appointed by the said Bill.

An Ingrossed Bill from the Council intituled *an Act for Remediying Divers Inconveniencies arising by the Unreasonable shiping of Tobacco* was read the Second time.

And the Question being put

That the said Bill be read a Third time

It passed in the Negative

A Bill appointing a Treasurer and Impowering him to receive the Monys in the hands of the late Treasurer was read the first time.

The Question being put that the said Bill be now read a Second time

Resolved in the Affirmative

And the said bill was read the Second time and ordered to be Ingrossed

Resolved

That the sum of Seventy pounds out of the public Money in the hands of the Treasurer be paid to *M^r John Randolph* Clerc of the House of Burgeffes for Twenty eight Copies of the Laws & proportions of this session of Assembly to be sent by him to the respective Counties of this Colony

Then the House Adjourned till to morrow Morning Eleven a Clock—

Tuesday June the 18th 1723

MR *McCarty* reports from the Committee appointed to draw up an Address to his Majesty, An Address agreed upon by the Committee which he read in his place and afterwards delivered in at the Table where the same was twice read and with some Amendments made at the Table agreed to

Ordered

That the Address be written over fair and a blank left for the Concurrence of the Council which Address is as follows *viz^t*.

Permit us most Gracious Sovereign

The Burgeffes of your Antient Colony of *Virginia* now met in Assembly heartily and Sincerely to Congratulate your Majesty upon the Timely Discovery & detection of the late most unnatural Conspiracy against your Majesties Roial person and Government.

We cannot but with^r reflect on the Miserable Condition our Mother Country must have lain under had the Accursed design Succeeded And as no Calamity can befall
great

^r Some such word as "concern" or "dismay" is here evidently omitted in the copy.

great Britain in which we shall not partake We are highly Sensitive the fatal Malignity of so dreadful a Revolution would have quickly reached our Remote parts.

We beg leave on this Occasion with all humility to Assure your Majesty of our firm Loyalty and Sincere Affection to your Sacred person and the Established Constitution The happy Influence of which we daily find under the Mild and Just Administration of the Hon^{ble} *Hugh Drysdale* the Lieu^t. Governnor Your Majesty hath been graciously pleased to Appoint over us.

May the Almighty by whose Special Providence your Majesty Reigns ever protect & defend your Sacred person and Royal Issue against all wicked & Traiterous Attempts at home or abroad And the good of your Kingdoms and all your Territories preserve you and them On Whom the happiness & Security of all your Subjects depend.

Ordered

That the Committee for p[ro]positions and Greivances do carry up the Address to the Council for their Concurrence.

A Bill intituled *an Act appointing a Treasurer and empowering him to receive the Moneys in the hands of the late Treasurer* was read the Third time

Resolved

That the Bill do pass.

Ordered

That the Committee for propositions and Greivances do carry the Bill to the Council for their Concurrence.

A Message from the Council That they have made Several Amendments to the Bill Intituled *an Act for the Settling & better Regulation of the Militia* to which they desire the Concurrence of this House.

And the said Amendments were read and agreed to

Ordered

That a Message be sent to the Council to acquaint them that this House hath agreed to their Amendments to the said Bill and that the Committee for propositions and greivances do go up with the Message.

Then the House Adjourned till to morrow Morning eleven a Clock.

Wednesday June the 19th 1723

MR *Esbridge* Reports from the Committee appointed to Proportion the public Levy a Book of propositions agreed upon by the Committee which they had directed him to report—and he delivered the same in at the Table where the same was read and Agreed to.

A Message from the Council that they are ready to Concurr wth this House in the Address to his Majesty and that they propose some Amendments to the said Address to which they Desire the Concurrence of this House.

And that they have made some amendments to the Bill Intituled *an Act for Inlarging the Jurisdiction of the Court of Hustings in the City of Williamsburgh within the Limits thereof* And Also to the Bill intituled *an Act for Dissolving the parish of Wilmington in the Counties of James City and Charles City and Adding the same to other Parishes* to which they desire the Concurrence of this House.

The ammdments to the said Address being for filling up the Blanks left for the Council And for Adding these words [of *Virginia*.] after the word [Burgeffes] in the Title were agreed to

Ordered

That a Duplicate of the said Address be prepared and that the same together with the Address be signed by the speaker and that the Committee for propositions and Greivances do carry the said Address and Duplicate to the Council

Ordered

That a Message be sent to the Council to desire them to Appoint some of their Members to attend the Governor with some Members of this House to know when both

both Houses may Attend him with the said Address to his Majesty and that the Committee for propositions and Greivances do go up with the Message.

A Bill for raising a public Levy was read the first time and ordered to be read a Second time.

The said Bill was read a Second time and Ordered to be Ingrossed.

Ordered

That a Committee be Appointed to Examine the Inrolled Bills and is referred to

Mr. John Thornton

Mr. Wyth &

Mr. Thacker

Mr. Jones

The Amendments made by the Council to the Bill Intituled *an Act for dissolving the parish of Wilmington in the Counties of James City and Charles City and adding the same to other parishes* being Severally read were Agreed to. Also the Amendments made by the Council to the bill Intit^d *an Act for enlarging the Jurisdiction of the Court of Hustings in the City of W^msburgh wth in the Limits thereof* were Sev'ally read & Agreed to.

Ordered

That a Message be sent to the Council to acquaint them that this House hath agreed to their Amendments to the said Bills and that the Committees who prepared the same do go up with the Message

Ordered

That the Committee for propositions and Greivances do carry the Several Resolves of this House for paying Several Sums out of the public money in the Hands of the Treasurer to the Council for their Concurrence.

A Bill intituled *and [An] Act for raising a public Levy* was read the Third time

Resolved

That the Bill do pass.

Ordered

That the Committee of proportions do carry the said Bill wth the Book of proportions to the Council for their Concurrence

A Message from the Council

That they have made an Amendment to the Bill intituled *an Act Appointing a Treasurer and Impowering him to receive the Monies in the hands of the late Treasurer* to which they desire the Concurrence of this House

And that they have agreed to the book of proportions and all the Resolves for payment of Money sent up by this House

Ordered

That the Committee appointed to proportion the public Levy do carry the book of proportions and the said Resolves to the Governor and desire his Assent thereto

The Amendment made by the Council to the Bill intituled *an Act Appointing a Treasurer and Impowering him to receive the Moneys in the hands of the late Treasurer* was read And some Amendments instead of the said Amendments were proposed and agreed to.

Ordered

That a Message be sent to the Council to acquaint them that this House hath agreed to some Amendments instead of their Amendment to the said Bill and that the Committee for propositions and Greivances do go up with the Message

Then the House Adjourned till to Morrow Morning eleven a Clock.

Thursday June the 20th 1723.

MR Thornton reports that the persons appointed had according to Order Examined the Several Bills passed the Council & this House this Session and that the same were truly Inrolled

Ordered

That the Committee who Examined the said Bills do carry the same to the Council for their Perusal.

Mr

Mr *Escribde* acquainted the House that the persons appointed had attended the Governor with the Book of proportions And the Several Resolves passed the Council and this House for paying Several Sums out of the publick money and that He was pleased to give his Assent to the same.

A Message from the Council that their President had Signed the Address to his Majesty in the behalf of them and that they had returned the same to this House.

Also That they had perused the Bills sent up to them and were Satisfied the same were truly Inrolled.

A Message from the Governor was delivered by Mr *Robertson* as follows.

Mr *Speaker*.

The Governor Commands the immediate Attendance of this House in the Council Chamber and that you bring with you such Bills as are ready for his Assent

The House accordingly went up to attend the Governor in the Council Chamber where he was pleased to give his Assent to the Several public & private Bills following.

An Act for Laying a Duty on Liquors and Slaves.

An Act for the Settling and better Regulation of the Militia.

An Act for reviving the Act intituled an Act for Security & Defence of the Country in times of Danger.

An Act directing the Trial of Slaves committing Capital Crimes and for the more effectual punishing Conspiracies & Insurrections of them and for the better Government of Negroes Mulattos and Indians bond or free

An Act for the better and more Effectual Improving the Staple of Tobacco

An Act for the better Securing the payment of Levies & Restraint of Vagrant and Idle people and for the more effectual discovery and prosecution of Persons having Bastard Children

An Act for the Transportation of Dick and other Negro Slaves

An Act appointing a Treasurer and Impowering him to receive the Moneys in the hands of the late Treasurer.

An Act for raising a Public Levy.

An Act for Inlarging the Jurisdiction of the Court of Hustings in the City of Williamsburg within the Limits thereof

An Act for Dividing St. Stephens parish in the County of King and Queen.

An Act for dissolving the parish of Wilmington in the Counties of James City and Charles City and Adding the same to other parishes.

An Act for Confirming the Title of John Fox Gent^{le} to Certain Lands formerly purchased of the Pamunky Indians.

An Act for Vesting the free Simple Estate of certain intailed Lands in William Merriwether Gent And for Vesting five Negro Slaves therein Mentioned in Sarah Brechin and the Heirs of her body.

An Act for Vesting the free Simple Estate of certain Intailed Lands in Peirce Buttler and Paulin Anderson and for Vesting other Lands therein Mentioned in Robert Stubblefield in fee tail

Then the Speaker of the House of Burgeesses delivered to the Governor the Address of Both Houses to the King Requesting His Honour to Transmit it to *great Britain*— And to get it presented to his Majesty in the best manner—

And the Governor was pleased to make the following Speech.

Gentlemen

I am pleased to find such zeal expressed for his Majesty's person and Government I will take care to Transmit this Address by the first Opportunity and will be ever ready to do all the Good Offices with his Majesty for the Support of you and this Colony

Gentlemen of the Council & House of Burgeesses.

I am come to put an End to this session of Assembly but cannot in Justice part with you before I express the pleasure I have taken in your Conduct & Behaviour which has banished from your Consultations all heats and Divisions And the satisfaction you have

have given me in preparing and presenting these good and wholesome Laws which I have now passed, Laws (by Allowing such a Length of time for his Majesties Assent) I hope equally calculated for Maintaining his Prerogative as well as for Advancing the benefit of the people who unless unreasonably prepossessed must be highly Satisfied to find themselves represented by Gentlemen who have Acted with such prudence and Moderation and who in all their proceedings have Appeared so fully to Understand and so much to have at heart the True Interest of the Crown and Country

I must believe by your Expressions in your Address to me that My Administration has hitherto been to your Satisfaction. I take this Opportunity to Assure you that I will persevere in and pursue the Measures I laid down in my Speech delivered at the Opening of this Session And will Countenance those and only those who shall be Aiding and Assisting to me in prosecuting and attaining Such Desirable Ends.

These Resolves performed on my part Supported with Suitable Returns from you will be a means of Laying such a firm and lasting foundation of Peace and right understanding between us so Absolutely necessary for the Happiness of Both

The Season of the year and your own private Affairs call for a Recess from the public Being then to Separate I request it of you and earnestly recommend it to you That as you brought dispositions free from party feuds and Jealousies You carry back the same into your respective Counties And there preserve the peace Cultivate Union among your Neighbors and promote the public good

Be Active in Encouraging Loyalty and Obedience to King *George* patronize Virtue punish Vice & duly execute the Laws that govern you

Such Merit will always lay a Claim to the Voices of the Inhabitants to come and make it their humble request to you to Honour them by representing them in Assembly And now I prorogue this Assembly to *Thursday* the Seventh day of *November*, And this Assembly stands prorogued accordingly.

JOURNAL

OF THE

HOUSE OF BURGESSES

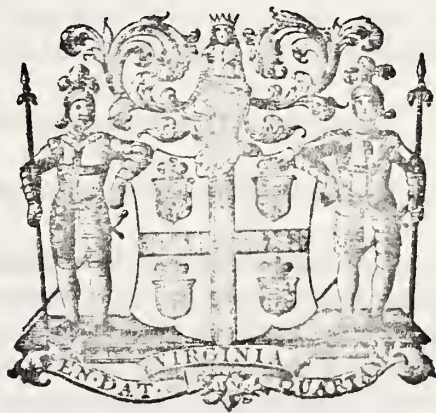
AT A

GENERAL ASSEMBLY

Summoned to be held at the Capitol in the City of WILLIAMSBURG the fifth day of *December* in the Ninth Year of the Reign of Our Sovereign Lord GEORGE by the Grace of God of *Great Britain France and Ireland* King Defender of the faith &c. And in the Year of Our Lord MDCCXXij—

And by Writ of Prorogation begun and holden on the Ninth day of *May* MDCCXXij—

And from thence Continued by Several Prorogations to the Twelfth day of *May* MDCCXXvj
Being the Second Session of this Present Assembly.



RICHMOND, VIRGINIA.

MCMXI.

JOURNAL

OF THE

HOUSE OF BURGESSES

Thursday May 12th 1726

A COMMISSION from the Honorable the Lieutenant Governor to *Philip Finch* Gent^l. to be Serjeant at Arms and Macebearer to this house was presented to the House and read.

Ordered.

That the same be Entered in the Journal of this house in these Words

Hugh Drysdale his Majesties Lieutenant Governor Vice Admiral and Commander in Chief of the Colony and Dominion of Virginia

To Philip Finch Gentleman Greeting

By Virtue, of the powers and Authorities to me Given as Commander in Chief of this Dominion. I do by these presents Constitute and appoint you Serjeant at Arms and Mace bearer to the house of Burgeses of this Colony You are therefore diligently to discharge the duty of your said Office by duly attending the said house and executing all such Orders and Commands as you shall receive from time to time from the Speaker or by the direction of the said house of Burgeses. And I do hereby charge and command all his Majesties Officers and others whom it may concern to be aiding and assisting to you in all things as becometh. And I do further Grant unto you the said *Philip Finch* that you shall hold and Enjoy the said Office with all fees Profits and Perquisites thereunto belonging during pleasure Given under my hand and the Seal of the Colony at *Williamsburg* this twelfth Day of *May*. 1726. in the twelfth Year of his Majesties Reign

Hugh. Drysdale.

A Message from the Governor by M^r *Robertson*

M^r *Speaker.*

The Governor Commands the immediate attendance of this house in the Council Chamber.

Accordingly M^r *Speaker* with the house went up to attend the Governor And being returned M^r *Speaker* reported that the house had attended the Governor in the Council Chamber And that he was pleased to Say that by a Long indisposition he had Lost his Voice and therefore had ordered M^r *Robertson* to read his Speech, And thereupon M^r *Robertson* read the Governors Speech and delivered him a Copy of it which he read to the house and the same was again read by the Clerk and is as followeth

Gentlemen of the Council and House of Burgeses

It is with intire Satisfaction that I meet you a Second time in Assembly to give you new opportunities of Consulting among yourselves what may be further necessary for your happiness and prosperity.

The Reasons that prevailed with me to agree to so many prorogations were partly to save the Country Charges after such a Loss as they suffered in their Crops by the Last
Years

Years Guilt; and partly because I heard of no Grievances wanting to be redressed. All persons and things being in a perfect Calm and Tranquillity.

And indeed it is not so much any necessity of State that has now occasioned your meeting as that you might have an Opportunity to defray the usual public Debts and Contingencies which how inconsiderable soever they are it seems can't be discharged by your Constitution without an Assembly.

Gentlemen of the House of Burgeffes

You laid a Duty last Session on Liquors and Slaves imported as had been done by former Assemblies with very good Effect to make those Assemblies more Easy to the Country by Lessening the Levy ~~at~~ poll But the interfering interest of the *African* Company has deprived us of that Advantage and has obtained a Repeal of that Law But a Duty on Liquors being Expressly recommended in my Instructions if you think fit to Enact it by it self I am persuaded it Will meet with approbation at home

As I never had any design upon the Country to make Gain for my self I think (*Gentlemen*) I may with a better grace recommend to your Considerations the contributing some Assitance[ce] towards the Support of A Work which in my Judgment (if duly Cultivated) would prove of great Service to your Country and Posterity I mean the College it lies in a Languishing condition and wants help to found their full number of Masters which when once perfected will make a Noble Seminary not only for the Education of your Young Gentlemen in the Liberal Arts and sciences but for furnishing your Churches with a Sett of Sober Divines born of yourselves and bred among you Advantages of greater importance than at present you may be aware of.

I doubt I shall be under a necessity through an ill state of health to take a Voiage to *England* but with Gods Assistance I intend to return to you with all Expedition.

I am truly sensible of your good disposition to his Majesties Government and of your great respects to myself which calls upon me to promise you that if there is any thing I can do for you during my stay in *England* I shall thing[k] myself happy to have an Occasion to shew my readines to serve so loial peaceable and kind a Country as I have Experienced you to be during my Administration And I make no doubt but that you will so continue during my absence.

In the interim if you have any useful Laws to propose agreeable to my Instructions and I know you will propose no other I shall be glad to pass them here and will Endeavour to get them approved by his sacred Majesty King *George* whom God blefs and preserve.

Hugh Drysdale.

Resolved Nemine Contradicente

That an Address be made to the Governor to return him thanks for his most affectionate Speech and the Great Esteem and good opinion he is pleased to Express therein for the people of this Colony.

Ordered

That the Committee for Propositions and Grievances do draw up the said Address

Resolved

That this house will on *Saturday* next take into Consideration the Governors Speech

Ordered

That all Committees of the last Session be revived and that they have power to Adjourn from Day to Day and to Send for such persons papers and Records as they shall from time to time think necessary.

Ordered.

That Mr *Randolph* be Chairman of the Committee for propositions and Grievances and that Mr *Johnson* be added to the said Committee

Ordered

That the Committee for propositions and Grievances do inspect the Journals of the Last Assembly and prepare and draw up a State of the matters then depending and undetermined and the progress that was made therein and report the same to the house

Ordered

Ordered.

That the said Committee inspect such Laws as are lately Expired or near Expiring and Report their Opinion to the house which of them are fit to be revived or Continued.

Ordered.

That M^r *William Le Neve* be continued Chaplain to this house and that he attend to read prayers Every morning at ten a Clock

Ordered

That M^r *Blair* and M^r *Willis* do acquaint the Governor and Council with the time appointed for prayers

Ordered.

That M^r *Godfrey Pole* be continued Clerk to the Committee for Propositions and Grievances and that M^r *Miles Cary* be continued Clerk to the Committee for public Claims

Ordered.

That the Doorkeepers who attended this house at the Last Session do give their Attendance this Session

Ordered.

That the Orders of the Last Session of Assembly continue standing orders of the house this Session.

Ordered

That M^r *Clayton* do lay before the house an Account of the money Expended by him and others pursuant to an Order of the General Assembly made in the year 1722 for providing Sundry Ornaments and other things for the Use of the Assembly General Court and Council

Ordered

That all Propositions and Grievances and public Claims be brought in by *Wednesday* next at furthest or otherwise that they be not received without particular Leave of the house

Ordered

That M^r *Wythe* M^r *George Harmanjon* and M^r *Scarburgh* do wait on the Governor and desire him to Order A new Writ to be made out for the Electing a Burgefs to Serve in this present General Assembly for the County of *Attomack* in the Room of *Tully Robinson* Gent deceased

Also a new Writ for the Electing A Burgefs to serve in this present General Assembly for the County of *Elizabeth City* in the Room of *James Rickets* Gent deceased

Also a new Writ for the Electing a Burgefs to serve in this present General Assembly for the County of *Northampton* in the Room of *Thomas Harmanjon* Gent deceased

Also a new Writ for the Electing a Burgefs to serve in this present General Assembly for the County of *Westmorland* in the Room of *Daniel M^r Carty Esq^r* deceased

And then the house adjourned till to morrow morning Eleven a Clock.

ffryday May 13th 1726

MR *Randolph* reported from the Committee for propositions and Grievances that the Committee had drawn up an Address to be presented to the Governor which they had directed him to report to the house and he read the same in his place and afterwards delivered it in at the table where the same was read and agreed to by the house as followeth.

To the honorable Hugh Drysdale his Majesties Lieut Governor and Commander in Chief of Virginia.

The humble Address of the house of Burgeffes.

SIR.

The Burgeffes of this his Majesties most antient Colony of *Virg^a* being Persuaded from the Experience they have had of your just and disinterested Administration that
you

you have nothing more at heart than the public Good and Welfare of the Subjects Committed to your Care could not doubt but that some Weighty cause induced you to put off the meeting of this Assembly.

Your inclination to do any thing which may contribute to the Ease and prosperity of the people is so conspicuous on Every occasion that We must acknowledge the present Calm and tranquillity to be the consequences of your Prudence and Moderation And it would be the highest ingratitude not to return you our Unfeigned thanks as well for that happiness as the singular kindness you have been pleased to Express in your affectionate Speech to this Assembly for the people of this Country And we shall Constantly Endeavour so to Order our Steps as not to forfeit the Esteem and good Opinion you have Entertained of us.

We and these whom we represent are Extremely concerned that you have so long been afflicted with that Languishing and Obstinate disease which is now likely to deprive us for A Season of your Residence amongst us Yet we hope the misfortune of your absence will soon be repaired by the recovery of your health and your returning in Safety to us for which with the utmost Sincerity We heartily pray.

Resolved

That the said Address be presented to the Governor by the whole house

Ordered.

That the Committee for Propositions and Grievances do wait on the Governor and desire to know his pleasure when he will be attended by this house

Mr. *Clayton* laid before the house an Account of the money laid out for providing sundry Ornaments and other things for the use of the Assembly General Court and Council.

Ordered.

That the said account be referd to the Consideration of the Committee for public Claims and that they do Examine the same and report their Opinion thereupon to the house

Mr. *Randolph* reported to the house that the Governor having been waited upon humbly to know when he would be attended by this house had be[en] pleased to Appoint to morrow morning at Eleven a Clock in the Council Chamber.

Ordered.

That the Attornies of Col^o *Alexander Spotswood* do prepare an account how the money put into his hands by one act of Assembly made in the year 1720 for Erecting the Counties of *Spotsylvania* and *Brunswick* and granting Certain Exemptions and benefits to the Inhabitants thereof hath been disposed of and that they lay the same before this house at the next Session of Assembly

Mr. *Harrison* being required to give an Account how the money directed to be paid to him and others by the said Act hath been disposed of acquainted the house that they had received the Sum of five hundred pounds pursuant to the said Act but that they have not yet thought it necessary by reason of the Small number of Inhabitants in the said County of *Brunswick* to apply the said Sum or any part thereof to the uses to which the same was appropriated

And then the house adjourned till to morrow Morning Eleven a Clock.

Saturday May 14th 1726

MR. *Harrison* reported from the Committee to whom the Account laid before this house by Mr. *Clayton* was referd that the Committee had Examined the same and were of opinion that the several Charges therein were just and that there is a ballance due to Mr. *Clayton* of twenty pounds nine Shillings and two pence Current money of *Virginia*

Ordered

Ordered.

That the Sum of twenty pounds nine Shillings and two pence out of the public money in the hands of *John Holloway Esq^r* Treasurer be paid to *Mr. John Clayton* the same being Expended by him pursuant to an order of the General Assembly.

Ordered

That *Mr. Archibald Blair* and *Mr. William Robertson*, do inform this house what hath been done by them pursuant to an Act of Assembly made at the Last Session of Assembly empowering them to transport and Sell certain Negro slaves and that they lay an account before this house of the money which hath arisen by the sale of the said Slaves.

Mr. Speaker reported that the house had attended the Governor with their Address to which he was pleased to give the following Answer

Mr. Speaker, and Gentlemen of the house of Burgeesses

I have a Just Sence of the Kindness you Express to me in this Address: I assure you I shall alwaies aim at the Welfare of the people of this Colony while I have the Honor of presiding among you.

The Order of the day being read The house upon a motion resolved it self into A Committee of the whole house to consider the Governors Speech and after some time spent therein *Mr. Speaker* resumed the Chair and *Mr. Randolph* reported from the Committee that they had come to some Resolutions which they had directed him to report to the house and he read them in his place and afterwards delivered them in at the table where the same were read and agreed to as followeth

Resolved.

That a Duty be laid on Liquors imported

Resolved.

That A Duty of four pence a Gallon be laid on Rum Brandy and other distilled Spirits and on Wine and one penny a Gallon on Cyder Beer and Ale other than such of the said Liquors as shall be imported directly from *great Britain*

Resolved.

That the Sum of Two hundred pounds yearly out of the money arising from the Duties aforesaid be applied to the use of the College of *William and Mary* towards founding the full number of Masters.

Ordered

That a bill be prepared accordingly and that it be referd to the Committee for Propositions and Grievances to prepare and bring in the same

Resolved

That an humble Address be made to his Majesty to implore his Majesties further assistance to the College of *William and Mary* and that he will be graciously pleased to increase the Revenues of the said College out of the unappropriated Revenue of *Q^r* Rents in this Colony: Also to Express the intire Satisfaction of the people of this Country under the Governors Administration and the Sorrow of this house for the Occasion of his returning to *great Britain*

Ordered

That the Committee for Propositions and Grievances do draw up an Address upon the said Resolution

Ordered

That *Mr. Clayton* have leave to be absent from the Service of the house for a fortnight upon Urgent Occasions

Mr. Randolph reported from the Committee for Propositions and Grievances to whom it was referd to inspect the Journal of the Last Session of Assembly and such Temporary Laws as had lately Expired or were near Expiring that the Committee had Agreed upon a Report which he read in his place and afterwards delivered the same in at the table

Resolved

That the house will take the said Report into Consideration *Monday*
And then the house adjourned till *monday* Morning Eleven A Clock.

Monday

Monday May 16th 1726

A REPORT of *Charles Barber William Woodbridge and Charles Grymes* Gent. that they had laid out the bounds between the Counties of *Lancaster* and *Northumberland* pursuant to an order of the General Assembly was laid before the house

Ordered

That the same be referred to the Consideration of the Committee for propositions and Grievances and that they do Examine the matter thereof and report their Opinion thereon to the house

Ordered.

That M^r. *Presly* be added to the said Committee

The house according to Order proceeded to the Consideration of the Report made from the Committee for Propositions and Grievances on *Saturday* last and the same was read and is as followeth

Upon inspecting the Journal of the last Session of Assembly it Appears to this Committee

That M^r. *Daniel McCarty* M^r. *George Escribde* M^r. *Charles Barber* M^r. *William Woodbridge* and M^r. *Charles Grymes* or any three of them with M^r. *Coppidge* and M^r. *Newton* Surveyors or One of them should meet pursuant to an Order of the house of Burgeffes at the Last Session of Assembly and according to the Evidences which should be produced to them lay out the bounds between the Counties of *Lancaster* and *Northumberland* at the charge of both Counties and that they should report their proceedings to this Session of Assembly

That M^r. *John Holloway* M^r. *John Clayton* and M^r. *Archibald Blair* to whom the Sum of two hundred and ten pounds by A Resolution of the last Session of Assembly was ordered to be paid out of the public money for the providing Sundry Ornaments and Other things for the use of the Assembly General Court and Council should Employ the said Sum according to the said Resolution and Account to this Session of Assembly

That the defects of the Laws in force relating to the Clergy and parochial affairs referred to the consideration of that Session of Assembly should be referred to the Consideration of this Session of Assembly

Upon Consideration of the proposition from *Westmorland* County that A chappel of Ease might be Erected in the Center thereof at the charge of the said County. It was resolved that the same should be referred to the Consideration of this Session of Assembly.

Upon Consideration of the proposition from *Alexander Forbes* Clerk That no Vagabond Couple be Suffered to Cohabit under Color of a married State without Exhibiting Credible testimony to certify their marriage and the Lawfulness thereof It was resolved that the same should be referred to the consideration of this Session of Assembly

Upon inspecting what Laws are Expired or near Expiring it appears to this Committee. That the Act for Settling the fees of the Secretary County Court Clerks Sheriffs Coroners and Constables and for ascertaining the fees of Attornies in a bill of Costs will Expire at the End of this Session of Assembly

It is the Opinion of this Committee that the said Act be continued to the End of the next Session of Assembly

That the Act for the further improving the Staple Tobacco Expired on the tenth day of *August* last

It is the opinion of this Committee that there is no necessity to revive the said Act

That the Act for reviving the act intituled an Act for Security and defense of the Country in times of Danger Expired on the twenty fourth Day of *June* Last

It is the opinion of this Committee that the said Act be revived for two Years

The Said Report being read a Second time

Resolved.

That the defects of the Laws relating to the clergy and parochial affairs be referred to the Consideration of the next Session of Assembly.

Ordered

Ordered.

That the proposition aforefaid from *Westmorland* County be referd to the Consideration of the Committee for propositions and Grievances and that they do Examine the matter thereof and report their Opinion thereon to the house.

Resolved.

That the proposition aforefaid from *Alexander Forbes* Clerk be referd to the Consideration of the next Session of Assembly

Resolved.

That this house doth agree with the said Committee that the *Act for settling the fees of the Secretary County Court Clerks Sherifs Coroners and Constables and for ascertaining the fees of Attornies in a bill of Costs* be continued to the End of the next Session of Assembly

Ordered.

That a Bill be prepared accordingly and that it be referd to the Committee for Propositions and Grievances to prepare and bring in the same.

Resolved.

That this house doth agree with the said Committee that the *Act for the further improving the State of Tobacco*, be not revived.

Resolved.

That this house doth agree with the said Committee That the *Act for Security and defence of the Country in times of Danger* be revived for two Years.

Ordered.

That a bill be prepared accordingly and that it be referd to the Committee for propositions and Grievances to prepare and bring in the same

Ordered.

That it be an Instruction to the Committee to whom it is referd to prepare and bring in the bill for Laying a Duty on Liquors imported to draw a Clause to be added to the said bill for making an abatement of fifteen $\frac{1}{2}$ Cent. to those who shall import money into this Colony for the payment of the said Duty.

And then the house adjourned till to morrow morning Eleven a Clock

Tuesday May 17th 1726

A BILL for laying a Duty upon Liquors was read the first time and ordered to be read a Second time

Mr. *Blair* Laid before the house an Account of the state of the Eight Negroes which he and Mr. *William Robertson* were impowered by an Act made at the Last Session of Assembly to transport

Also several Accounts of the Sale of Rum imported from *Barbadoes* And the titles of the said Accounts were read

Ordered.

That the said Accounts be referd to the Consideration of A Committee and that they do Examin the same and report their Opinion thereon to the house and a Committee was appointed accordingly.

Mr. *Randolph* reported from the Committee of Propositions and Grievances that the Committee had had under their Consideration several propositions and Grievances and agreed upon a Report which he read in his place and delivered in at the table where the same was read.

And upon Consideration thereof

The Question was put that A bill be brought in to give Encouragement for the killing Squirrels and Crows

And passed in the Negative

Resolved

Resolved.

That a bill be prepared to prevent the felling of Trees in to Rivers and Creeks and the Setting of Negroes therein

Ordered.

That it be referd to the said Committee to prepare and bring in the same

Resolved.

That the Grievance complained of by the Inhabitants of *Accomack* County occasioned by their present Vestry be referd to the consideration of the next Session of Assembly to the End the said Vestry may have an Opportunity of Justifying their proceedings

And then the house adjourned till to morrow morning Eleven a Clock

Wednesday May 18th 1726

A BILL for reviving and continuing two Acts of Assembly therein mentioned was read the first time and ordered to be read a Second time

A Petition of *John Lomax* in behalf of himself and other Inhabitants of the County of *Effex* setting forth That a proposition signed by the Upper Inhabitants of the said County for dividing the same had been presented to A Court of Claims held in the said County but by reason of some disputes and heats arising in the said Court the said proposition was not certified to the General Assembly according to Law and praying that the said proposition may be now received and considered was presented to the house and read.

Mr. *Kemp* presented to the house a proposition for adding part of the said County of *Effex* to the County of *Middlesex*

Ordered.

That the said propositions be referd to the Consideration of the Committee of Propositions and Grievances and that they do Examin the matter thereof and report the same with their Opinions thereon to the house

Mr. *Randolph* reported from the Committee of Propositions and Grievances that the Committee had had under their Consideration several Propositions and Grievances and had Agreed upon a Report which he read in his place and delivered in at the table where the same was read.

And upon Consideration thereof

Resolved

That A bill be brought in for the more Effectual preventing the bringing Tobacco from *North Carolina*

Resolved.

That A bill be prepared to repeal an Act intituled *an Act directing the manner of Levying Executions and for relief of poor Prisoners for debt and One other Act to Explain the said Act and to declare the Law concerning Executions and for Relief of poor Prisoners for debt*

Ordered

That the Committee of Propositions and Grievances do prepare and bring in the said bills

Ordered

That a bill be brought in for building A Chappel of Ease in the Center of the County of *Westmorland* and that M. *Ejcridge* do prepare and bring in the same

Resolved.

That this house doth approve the report of *Charles Barber William Woodbridge* and *Charles Grymes* concerning the bounds of *Lancaster* and *Northumberland* Counties

Ordered.

That the said Report be Entered among the Records of the General Assembly

* The copy has "Negroes," which is manifestly an error for "Hedges."

A Petition of *Baldwin Matthews* setting forth that A Negro slave belonging to him was lately committed to the Goal of *York County* for felony and Burglary and died during his confinement before his trial and praying to be paid for the said Slave was presented to the house and read.

Ordered.

That the said petition be referd to the Consideration of the Committee of public Claims and that they do Examin the matter thereof and report the same with their Opinion thereupon to the house

M^r *Jones* Reported that the persons appointed had according to Order Examined the Accounts of the Sales of the Negro slaves transported pursuant to an Act made at the Last Session of Assembly and of A certain Quantity of Rum imported from *Barbadoes* and found the same justly Stated

Ordered.

That M^r *Archibald Blair* do pay the ballance of the said Accounts being One hundred ninety three pounds Seven Shillings and six pence half penny to *John Holloway Esq^r* Treasurer of *Virginia*

A Bill for Laying a Duty on Liquors was read the Second time and Committed
Ordered.

That A Bill be brought in to Exempt the Masters Scholars and Servants residing in the College of *William and Mary* from the payment of Levies that the Committee for Propositions and Grievances do prepare and bring in the same

And then the house adjourned till to morrow twelve A Clock

Thursday May 19th 1726

M^r *Randolph* reported from the Committee to whom the bill for laying a Duty on Liquors was committed Several Amendments made to the bill And the said Amendments being Severally read were agreed to by the house.

Ordered.

That the bill with the Amendments be ingrossed

Several Accounts of *Peter Beverley Esq^r* late Treasurer of the Duties upon Liquors and Slaves.

Also An Account of the public money now in the hands of *John Holloway Esq^r* Treasurer were Laid before the house

Ordered.

That the said Accounts be referd to the Consideration of A Committee and that they do Examine the same and report their Opinion thereon to the house and a Committee was appointed accordingly

M^r *Crafford* informing the house that he had not Received his full Wages for attending the General Assembly in the year 1722 by reason of a mistake in the Governors Warrant

Ordered.

That the Committee to whom the several Accounts of the late and present Treasurer are referd do Examin the said Warrant and report their Opinion thereon to the house

A Bill for the more Effectual preventing the bringing tobacco from *North Carolina* was read the first time and ordered to be read A Second time

A Bill to prevent the setting of hedges into Rivers and Creeks and the falling of Trees therein was read the first time and ordered to be read a Second time

A Bill for reviving and continuing two Acts of Assembly therein mentioned was read the Second time and ordered to be ingrossed.

Then the house adjourned till to morrow morning Eleven a Clock.

ffryday

ffryday May 20th 1726

MR. Cole reports that the persons appointed had according to Order Examined the accounts of *Peter Beverley* Esq^r late Treasurer and of *John Holloway* Esq^r present Treasurer and found the same justly stated and that the public money in the hands of the present Treasurer amounts to Four Thousand five hundred fifty Six pounds and four pence halfpenny

That upon Examination of the Accounts of the said present Treasurer the said Committee take notice that the Collector of the Duties upon Liquors and Slaves for the Lower District of *James River* had not made Oath to his Accounts and that he is indebted for the said Duties A Certain Sum computed to amount to two hundred and thirty pounds or thereabouts for which an Action is commenced against him and his Securities.

And that upon Examination of M^r *Craffords* Claim they find there remains due to him One pound Eighteen Shillings for his Wages for attending the Affembly in the year 1722

Ordered.

That the Sum of One pound Eighteen Shillings be paid to M^r *Will^m Crafford* out of the public money in the hands of *John Holloway* Esq^r Treasurer so much being still due to him for his Wages for attending the General Affembly as a Burgefs in the year 1722

Ordered.

That the Committee who Examined the accounts of *Peter Beverley* Esq^r late Treasurer and *John Holloway* Esq^r Present Treasurer do carry the said Accounts to the Council to the End the same may be passed by them

A Bill intituled *an Act for Laying a Duty on Liquors* was read the third time
Resolved.

That the bill do pass

A Bill intituled *an Act for reviving and continuing two Acts of Assembly therein mentioned* was read the third time

Resolved.

That the bill do pass

Ordered

That the Committee who prepared the said bills do carry the same to the Council for their Concurrence

A Bill for the more Effectual preventing the bringing Tobacco from *North Carolina* was read the second time and ordered to be ingrossed

A Bill to prevent the Setting of hedges into Rivers and Creeks and the falling of Trees therein was read the Second time and ordered to be ingrossed.

A Bill for Erecting A Chappel of Ease in the County of *Westmorland* was read the first time and ordered to be read a Second time

A Bill for Exempting the President Masters and others residing in the College of *William and Mary* from Payment of Levies was read the first time and ordered to be read A Second time

M^r *Randolph* reported from the Committee of propositions and Grievances that the said Committee had had under their Consideration several Propositions and Agreed upon A Report which he read in his place and delivered in at the table

And upon Consideration thereof

Ordered.

That A bill be brought in for adding that part of the County of *Essex* which Lies below *Piscataway* Creek to the County of *Middlesex* and That M^r *Kemp* M^r *Thacker* M^r *Jones* and M^r *Dangerfield* do prepare and bring in the same

Ordered.

That A bill be brought in to divide the County of *Stafford* into two Counties and to make *Acquia* Creek the bounds between the said Counties and that M^r *Robinson* and M^r *Mason* do prepare and bring in the same—

Ordered

Ordered.

That A bill be brought in to appoint *John Holloway* Esq^r Speaker of this house Treasurer of the Duties upon Liquors and that the Committee for propositions do prepare and bring in the same.

And then the house adjourned till to morrow morning Eleven a Clock

Saturday May 21th 1726

A PETITION of *Henry Cary* setting forth that he was Employed by the Supervisors of the Capitol to make new Posts and Gates for the Capitol yard which are ready to be set up and hath by their direction made several other repairs about the building That the fund out of which the Expence of the Repairs of the said building hath usually been paid is Exhausted and that there are several repairs still necessary to be done and praying that he may be paid for his Services was presented to the house and read

Resolved.

That the Charges of all repairs of the Capitol which have been made or shall be necessary to be made between this and the next Session of Assembly be paid out of the public money in the hands of *John Holloway* Esq^r Treasurer and that the Governor be desired to issue his Warrant upon the Treasurer for the payment thereof and that the Accounts of Such Repairs be laid before the General Assembly at the next Session

Ordered.

That M^r *Speaker* and M^r *Blair* be appointed to survey the Capitol and to order such repairs to be done in and about the same as to them from time to time shall seem necessary

Ordered.

That no pine Timber or plank be hereafter made use of for Repairing the said building Except so much as shall be necessary for repairing the floors

A Bill intituled *an Act to prevent the Setting of Hedges in to Rivers and Creeks and the falling of trees therein* was read the third time

Resolved.

That the bill do pass

A Bill intituled *an Act for the more Effectual preventing the bringing Tobacco from North Carolina* was read the third time

Resolved.

That the bill do pass

Ordered.

That the Committee who prepared the said bills do carry the same to the Council for their Concurrence

M^r *Kemp* according to Order presented to the house A bill for adding part of the County of *Effex* unto the County of *Middlesex* and the same was read the first time and ordered to be read a Second time

A Bill for Exempting the President Masters and others residing in the College of *William* and *Mary* from payment of Levies was read the second time and an Amendment was made to the said bill

Ordered.

That the bill with the amendment be Ingrossed

A Bill for Erecting A Chappel of Ease in the County of *Westmorland* was read the Second time and Committed.

Ordered.

That the Sum of thirteen Shillings and Six pence out of the public money in the hands of *John Holloway* Esq^r Treasurer be paid to M^r *Edwin Conway* and that the Like Sum be paid to M^r *William Ball* out of the said money so much of their Wages for attending the General Assembly at the Last Session remaining unpaid

Then the house adjourned till *monday* morning Eleven A Clock

Monday

Monday May 23th 1726

A BILL for adding part of the County of *Effex* unto the County of *Middlefex* was read the second time and committed to the Committee of Propositions and Grievances.

M^r *Randolph* reported from the Committee of Propositions and Grievances That the said Committee had had under their Consideration Several Propositions and Grievances and had agreed upon A Report which he read in his place and delivered in at the table Where the same was again read

And upon Consideration thereof

Ordered.

That A bill be brought in to prevent Hogs running at large within the Limits of the Town of *Gloucester* and that M^r *Willis* and M^r *Cook* do prepare and bring in the same

Ordered.

That a bill be brought in to impowere the Justices of the County of *Spotsylvania* to Erect a new Court house at any place within the said County which they shall think most convenient and that the Committee of Propositions and Grievances do prepare and bring in the same

Ordered.

That a bill be brought in to Establish a ferry over *Rappahanock* River from M^{rs} *Jael Johnsons* in *Spotsylvania* County to *Thomas Harwoods* in *King George* County and that the Committee of Propositions and Grievances do prepare and bring in the same

Resolved.

That the propositions made to this Assembly by the Inhabitants of the said County of *Spotsylvania* for laying out a Town on the Lands of *Thomas Buckner* and *John Royston* and also for laying out fifty acres of Land on the Mouth of *Massaponax* Creek to the End one other Town may be built in the said County be referd to the Consideration of the next Session of Assembly

A Bill intituled *an Act for Exempting the President Masters and Others residing in the College of William and Mary from payment of Levies* was read the third time

Resolved.

That the bill do pass

Ordered.

That the Committee who prepared the said bill do carry the same to the Council for their Concurrence

A bill appointing a Treasurer was read the first time and ordered to be read a Second time

The said bill was read the second time and several amendm^{ts} were made therein at the Table

Ordered.

That the bill with the Amendments be ingrossed

Then the house adjourned till to morrow Morning Eleven A Clock.

Tuesday May the 24th 1726

A MESSAGE was delivered from the Council that they have made some Amendments to the bill intituled *an Act for the more Effectual preventing the bringing Tobacco from North Carolina* Also to the bill intituled *an Act to prevent the setting of Hedges into Rivers and Creeks and the falling of Trees therein* to which They desire the Concurrence of this house.

And that they have passed the bill intituled *an Act for reviving and continuing two Acts of Assembly therein mentioned.*

The house proceeded to take into Consideration the Amendments aforesaid and the same were severally read and Agreed to by the house.

Ordered

Ordered.

That A message be sent to the Council that this house hath agreed to the amendments by them made to the said several bills and that the Committee of Propositions and Grievances do go up with the Message.

A Petition of *Sarah Rofs* and *Stith Bolling* Setting forth that they being the Keepers of A ferry settled by Law over *James River* at *James Town* and *Swan'spoint* are bound to transport men and horses at a Lower rate than the Service deserves and praying that they may be allowed to take a higher price for the same was presented to the house and read.

Resolved.

That the said petition be rejected

A Petition of Sundry Inhabitants of a Large Tract of Land above the falls of *James River* in behalf of themselves and their Neighbours complaining of many hardships and inconveniences which they sustain by reason of the great Length of the County of *Henrico* to which they belong and their remoteness from the place where the Court of the said County is now held and praying that they may be made A Distinct County and that the like Encouragements may be given to the Inhabitants of such new County as were heretofore given to the Inhabitants of the Counties of *Spotsylvania* and *Brunswick*, was presented to the house and Read

Resolved

That the said petition is not certified as all Grievances by Law ought to be and that for that reason the same be rejected.

Ordered.

That it be an Instruction to the Committee appointed to prepare A bill for settling a new ferry over *Rappahanock River* to prepare one or more Clauses to be added to the said bill for Settling another ferry over the said River from the plantation of *John Taliaferro* of the *Mount* in the County of *Effex* in the Occupation of *Anthony Seal* to the plantation of *John Lomax* in the County of *King George* in the occupation of *Anthony Seal* the younger And also for Settling A ferry at *Archers Point* in the County of *Henrico* Over the river *Appamatuck* to the County of *Prince George*.

Mr. *Randolph* reported from the Committee of Propositions and Grievances that the said Committee had had under their Consideration several Grievances and agreed upon A Report which he read in his place and delivered in at the table where the same was again read.

And upon Consideration thereof.

Ordered.

That it be an Instruction to the Committee appointed to prepare the said bill for settling a new ferry over *Rappahanock River* to prepare a Clause to be added to the bill for settling a ferry at the Landing of *William Pulliam* in the County of *Hanover* over the River *Northanna* to the Land of *John Holliday* in the County of *King William*

Ordered.

That A bill be brought in for making that part of the parish of *St. Paul* in the County of *Hanover* Which lieth in the neck between the North and South branches of *Pamunkey River* and also that part of the parish which lieth above *Stonehorse Creek* A Distinct Parish and that the Committee of Propositions and Grievances do prepare and bring in the same.

And then the house adjourned till to morrow morning Eleven a clock

Wednesday May 25th 1726

A PETITION of fundry persons freeholders and Inhabitants of the parish of *St. George* in the County of *Spotsylvania* whose names are thereunto subscribed setting forth that the Acting Vestry of the said parish were not duly Elected and that several Members of the Vestry do not reside in the parish and praying that the said Vestry may be dissolved and a new Vestry chosen was referred by the Council to the Consideration of this house, and was read

Resolved

Resolved.

That the same be rejected

A Bill to repeal the Act intituled *an Act directing the manner of levying Executions and for relief of poor prisoners for debt* and one other Act to Explain the said Act and to declare the Law concerning Executions and for relief of poor prisoners for debt was read the first time and Ordered to be read a Second time

A Bill for Settling new ferries over *Rappahannock Northanna* and *Appamatuck* Rivers was read the first time and ordered to be read A Second time

Mr *Randolph* reported from the Committee to whom the bill for adding part of the County of *Effex* unto the County of *Middlesex* was committed several Amendments made to the bill which he delivered in at the Table where the same were severally read and agreed to by the house.

Ordered.

That the bill with the amendments be ingrossed.

Mr *Willis* according to order presented to the house a bill to prevent Swine running at Large within the Limits of the Town of *Gloucester* and the same was read the first time and ordered to be read a Second time

Mr *Ejcridge* to whom the bill for Erecting a Chappel of Ease in the County of *Westmorland* was Committed reported several amendments made to the bill which he delivered in at the table where the same were Severally read and agreed to by the house

Ordered

That the bill with the amendments be ingrossed

A Message was brought from the Council that they had made some Amendments to the bill intituled *an Act for Exempting the President Masters and Others residing in the College of William and Mary from payment of Levies* to which they desire the Concurrence of this house

A Bill for dividing the parish of St. *Paul* in *Hanover* County was read the first time and ordered to be read a Second time

Then the house adjourned till to morrow morning Eleven a Clock

Thursday May 26th 1726

A MESSAGE was brought from the Council that they had agreed to the bill intituled *an Act for Laying A Duty on Liquors*

A Petition of *Charles Kymball* praying that he may be paid his usual Allowances for Serving as interpreter to the *Sapony* Indians for three years Ending the 17thth Day of this instant was presented to the house and read

Ordered.

That the said petition be referd to the Consideration of the Committee of public Claims and that they do Examin the matter thereof and report their Opinion thereon to the house

A Bill intituled *an Act appointing a Treasurer* was read the third time

Resolved.

That the bill do pass

Ordered.

That the Committee who prepared the said bill do carry the same to the Council for their Concurrence

A Bill intituled *an Act for adding part of the County of Effex unto the County of Middlesex* was read the third time

And after a Debate the Question was put

That the said bill do pass

It passed in the Negative

Resolved.

That the bill be rejected

A Bill intituled *an Act for Erecting a Chappel of Ease in the County of Westmorland* was read the third time

Resolved.

That the said bill do pass

Ordered

That the Committee of Propositions and Grievances do carry the same to the Council for their Concurrence

The House proceeded to the Consideration of the Amendments made by the Council to the bill intituled *an Act for Exempting the President Masters and others residing in the College of William and Mary from payment of Levies* and the same were severally read.

Resolved.

Nemine Contradicente

That this house doth not agree to the said Amendments

Ordered.

That a Message be sent to the Council that this house doth not Agree to the amendments by them made to the said bill and That the Committee of Propositions and Grievances do go up with the message.

A Bill to repeal the act intituled *an Act directing the manner of Levying Executions and for relief of poor prisoners for debt* and one other Act to Explain the said act and to declare the Law concerning Executions and for relief of poor prisoners for debt were [was] read the Second time

And after a Debate the Question was put.

That the bill be committed

It passed in the negative

And several Amendments were made to the bill at the table

Ordered.

That the bill with the amendments be ingrossed

A Bill for Erecting A Court house in *Spotsylvania* County was read the first time and ordered to be read a Second time

And then the house adjourned till to morrow Morning Eleven A Clock

ffryday May 27. 1726

A MESSAGE was brought from the Council that they have passed the bill intituled *an Act appointing a Treasurer*

A motion being made that Leave may be given to bring in a bill to forbid the Justices of the County of *Effex* for some time to build a new Court house in the said County which may be an Unnecessary burthen upon the County in case the same should be soon divided.

And after a Debate thereupon—

Resolved

That it is the Opinion of this house that the said Justices ought not to build A New Court house in the said County before the next Session of Assembly

A Petition of *John Carter Esq^r* Secretary of this Colony setting forth that Certain parcels of Land lying in the Counties of *James City* and *Northampton* were upon the first Settlement of the Country laid out and appropriated for the use of such person or persons who should from time to time Enjoy the Office of Secretary of the said Colony but that by the Strict Rules of Law the same cannot pass in Succession of which divers persons have taken advantage to the Prejudice of the Petitioners Right and praying that Leave may be given to bring in A bill to Enable him and the Secretary for the time being to hold the said Land during their Continuance in that Office and to make Leafes of the same for twenty one years or three Lives and to commence and Prosecute any Action which shall be necessary to maintain his Right—was presented to the house and read

Ordered

Ordered.

That Leave be Given to bring in A bill according to the Prayer of the said Petition A Petition of *Elizabeth Cocke* of the County of *Henrico* Widow and *James Cocke* her Eldest Son and Heir apparent setting forth that the said *Elizabeth* being lately seized in feetail of one hundred Acres of Land lying in the County of *Henrico* called *Curles* which was of little Value to her She hath lately sold the same to M^r *Richard Randolph* with the privy and Consent of the said *James* and that they are desirous to Secure the said Land to the Said *Richard* and to settle two other parcels of Land and two Negro Slaves of Greater Value to the same uses and praying That Leave may be given to bring in a bill to Confirm the Right of the said *Richard* to the said intailed lands and to Settle the said Other Lands and Negros to the same uses was presented to the house and read.

Ordered.

That the said Petition be referd to the Consideration of M^r *Conway* M^r *Kemp* and M^r *Poythres* and that they do Examin the Allegations thereof and if they find the same to be true that they do prepare and bring in A bill according to the prayer of the Petition

A Message from the Governor was delivered by M^r *Robertson* Clerk of the Council M^r *Speaker*.

The Governor commands the immediate attendance of this house in the Council Chamber and that you bring with you the bill for Laying a duty upon Liquors and the bill appointing a Treafurer to the End the same may receive his assent.

And the house went up accordingly and being returned M^r *Speaker* reported that the house had attended the Governor who was pleased to give his Assent to the bill intituled *an Act for laying A Duty upon Liquors* and to the bill intituled *an Act appointing a Treafurer* and that the Governor was afterwards pleased to say that he hoped the Council and this house would Give such dispatch to the business of this Session that the same may be brought to A Speedy Conclusion.

Ordered.

That the Wages of the Burgeffes attending this Session of Assembly and all the Charges of this Session be paid out of the public money in the hands of *John Holloway* Esq^r Treafurer after the rate of ten Shillings A hundred for Tobacco

A Bill for dividing *Stafford* County was read the first time and a Debate arising thereupon.

The Question was put that the bill be rejected

Resolved.

In the Affirmative

A Bill to prevent Swine runing at large within the Limits of the Town of *Gloucester* was read the Second time and Ordered to be ingrossed

A Bill for dividing the parish of S^t *Paul* in *Hanover* County was read the second time and two blanks in the said bill were filled up.

Ordered

That the said bill be ingrossed.

A Bill for Erecting a Court house in *Spotsylvania* County was read the Second time and committed

A Bill for Settling new ferries over *Rappahanock* *Northanna* and *Appamatuck* Rivers was read the second time

And Several Amendments were made to the bill at the Table

Ordered

That the bill with the Amendments be ingrossed

Ordered

That M^r *John Bolling* have leave to be absent from the Service of the house till Thursday next

And then the house adjorn'd till to morrow morning Eleven a Clock

Saturday

Saturday May 28th 1726

A BILL intituled *an Act to repeal the Act intituled an Act directing the manner of Levying Executions and for relief of Poor Prisoners for debt And one other Act to Explain the said Act and to declare the Law concerning Executions and for relief of poor Prisoners for debt* Was read the third time

Resolved.

That the bill do pass

A Bill intituled *An Act for settling new ferries over Rappahanock Northanna and Appamatuck Rivers* was read the third time

Resolved.

That the bill do pass

A Bill intituled *an Act for dividing the parish of St. Paul in Hanover County* was read the third time

Resolved.

That the bill do pass

A Bill intituled *a Act to prevent Swine running at Large within the Limits of the Town of Gloucester* was read the third time

Resolved.

That the bill do pass

Ordered.

That the Committee of Propositions and Grievances do carry the said bills to the Council for their Concurrence

Ordered.

That Mr. Cole have leave to be absent from the Service of the house till Thursday next

A Petition of *James Shields* Keeper of the public Goal praying that his Claim for keeping the said Goal may be paid to him in money instead of Tobacco was presented to the house and read

Ordered.

That the said petition do lie on the Table and that the same be considered with the book of Claims

Ordered.

That Mr. Lee be added to the Committee of propositions and Grievances

Mr. Randolph reported from the Committee to whom the bill for Erecting a Court house in *Spotsylvania* County was Committed Several Amendments made to the bill which he read in his Place and delivered in at the table, where the same were again severally read and agreed to by the house

Ordered.

That the bill with the amendments be ingrossed

Mr. Randolph reported from the Committee of Elections and Privileges that they had had under their Consideration the return of the Writ made out this Session for Electing A Burgesses to serve in this present Session of Assembly for the County of *Northampton*. Also of the Writ for Electing A Burgesses for the County of *Eliz. City*. Also of the Writ for Electing a Burgesses for the County of *Accomack* And of the Writ for Electing a Burgesses for the County of *Westmorland* and that they found the same to be duly made.

Then the house Adjourned till Monday morning Eleven a Clock.

Monday May 30th 1726

A MESSAGE was brought from the Council that they have passed a bill intituled *an Act for remedying divers inconveniences arising by the unseasonable shipping of Tobacco* to which they desire the Concurrence of this house and the said bill was read the first time and ordered to be read a Second time.

Mr. Conway reported that the persons appointed had according to order Examined the Alligations of the Petition of *Elizabeth Cocke* and *James Cocke* and found the same

to

to be true and had prepared A bill according to the prayer of the said petition and he presented to the house A bill to confirm the title of *Richard Randolph* to certain intailed Lands and to settle other Lands to the same Uses and the same was read the first time and ordered to be read A Second time

Mr. *Randolph* according to the Leave of the house presented a bill to make the Secretary of the Colony of *Virginia* for the time being A person capable in Law to take and hold certain Lands therein mentioned and to make Leafes thereof and the said bill was read the first time and ordered to be read a Second time.

A Bill intituled *an Act for Erecting A Court house in Spotsylvania County* was read the third time

Resolved.

That the Bill do pass

Ordered

That the Committee of Propositions and Grievances do carry the bill to the Council for their Concurrence.

The bill to confirm the title of *Richard Randolph* to certain intail'd Lands and to settle other Lands to the same uses was read the Second time

And an Amendment to the title of the bill was made at the table.

Ordered.

That the bill with the Amendment be ingrossed

Then the house adjourn'd till to morrow morning Eleven A Clock

Tuesday May 31th 1726

AN ingrossed bill from the Council intituled *an Act for remedying divers inconveniencies Arising by the unreasonable Shipping of Tobacco* was read the Second time

And the Question was put that the bill be committed

And it passed in the Negative

Then the Question was put that the bill be read a third time

It passed in the Negative

A Bill intituled *an Act to confirm the title of Richard Randolph to certain intailed Lands and to settle other Lands of Greater Value and two Negro Slaves to the same uses* was read the third time and an Amendm^t was made therein at the table.

Resolved.

Nemine Contradicente

That the bill as amended do pass

Ordered

That the Committee who prepared the said bill do carry the same to the Council for their Concurrence

A Bill to make the Secretary of the Colony of *Virginia* for the time being A person Capable in Law to take and hold certain Lands therein mentioned and to make Leafes thereof was read the second time and Comitted

Mr. *W^m. Ball* reported from the Committee of public Claims that the said Committee had had under their Consideration all the Claims which had been duly certified to this Session of Assembly and had made several Allowances thereupon which they had Entered in a book and he delivered the same in at the table

And part of the said Book was read

Ordered

That the further Consideration thereof be adjourn'd till to morrow

Ordered.

That Mr. *William Thornton* have leave to go home upon Extraordinary Occasions.

Then the house adjourned till to morrow morning Eleven a Clock

Wednesday

Wednesday June 1^o 1726

APETITION of *John Francis* praying that he may have an Allowance for his Services in putting the papers and Records of the General Assembly in order and making Exact Lists thereof which he was Imploied to do by the Clerk of this House was presented to the house and read

Ordered.

That the Sum of Twenty Pounds out of the public money in the hands of *John Holloway Esq^r* Treasurer be paid to *John Francis* for his Service in putting the Papers and Records of the General Assembly in Order and making Exact Lists thereof

M^r Randolph to whom the bill to make the Secretary of the Colony of *Virginia* for the time being a person capable in Law to take and hold certain Lands therein mentioned and to make Leafes thereof was committed reported Several Amendments made to the bill which he read in his Place & delivered in at the table where the same were again Severally read and Agreed to

Ordered

That the bill with the Amendments be ingrossed

The House according to Order proceeded to the further Consideration of the book of Claims and the same was read through and agreed to by the house with some Amendments.

A Message was brought from the Council that they have passed a bill intituled *an Act for amending the Act concerning Servants and Slaves and for the further Preventing the Clandestine Transportation of persons out of this Colony* to which they desire the Concurrence of this house And that they have passed the bill intituled *an Act for Settling New ferries over Rappahanock Northanna and Appamatuck Rivers*. Also the bill intituled *and Act for dividing the Parish of St Paul in Hanover County*, Also the bill intituled *an Act to prevent swine runing at Large within the Limits of the Town of Gloucester*

Ordered.

That the respective Sums hereafter mentioned be paid to the Officers of the General Assembly respectively out of the public money in the hands of *John Holloway Esq^r* Treasurer Viz:

To *M^r Randolph* Clerk of the house of Burgesses for a Copy of the Journal of this Session delivered to *M^r Speaker*. Fifty Shillings.

To the said *John Randolph* for his service in the said Office during the Session One hundred Pounds

To *M^r Will^m Robertson* Clerk of the General Assembly for his Service this Session fifty pounds

To *M^r Godfrey Pole* Clerk of the Committee of propositions and Grievances for this Service this Session forty pounds

To *M^r Miles Cary* Clerk of the Committee of public Claims for his Service this Session forty pounds.

To *M^r Philip ffinch* Serjeant at Arms and Macebearer attending this house for his Service this Session forty pounds

To *M^r Le Neve* Chaplain to the house for his attendance this Session twenty pounds

To *M^r Richard Hickman* for the Door keeper of the Council Ten pounds

To	<i>James Haffel</i> <i>Nicholas Wager</i> <i>Robert Dyer &</i> <i>William Francis</i>	}	Door keepers attending this House Seven Pounds ten Shillings Each.
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Ordered.

That the said Allowances be added to the book of Claims and that the Committee of Public Claims do carry the said book to the Council and desire them to pass the same.

M^r Randolph reports from the Committee appointed to draw up an Address to his Majesty an Address agreed upon by the Committee which he read in his Place and afterwards delivered in at the table where the same was twice read and Agreed to

Ordered

Ordered.

That the Address be written over fair and a blank left for the Council and that the Committee who prepared the said Address do carry the same to the Council for their Concurrence

The ingrossed bill from the Council intituled *an Act amending the act Concerning Servants and Slaves and for the further Preventing the Clandestine Transportation of persons out of this Colony* was read the first time and ordered to be read a Second time

Then the House adjourn'd till to morrow morning Eleven A Clock

Thursday June 2^d 1726

A MESSAGE was brought from the Council that they have made divers amendments to the bill intituled *an Act to repeal the Act intituled an Act directing the manner of Levying Executions and for relief of poor prisoners for debt And one other Act to Explain the said Act and declare the Law concerning Executions and for Relief of poor prisoners for debt* to which they desire the Concurrence of this house.

A bill intituled *an Act to make the Secretary of the Colony of Virginia for the time being a person Capable in Law to take and hold certain Lands therein mentioned and to make Leases thereof* was read the third time

Resolved.

That the bill do pass

Ordered.

That the Committee of Propositions and Grievances do carry the said bill to the Council for their Concurrence

A petition of sundry Persons whose names are thereunto subscribed in behalf of themselves and the greater part of the freeholders and Inhabitants of *Elizabeth City Parish* complaining of Great hardships they have for many years labored under by reason of certain persons Assuming to themselves without lawful Authority and Exercising in an unjust manner the power of Vestry men of the said Parish and praying that the said Vestry may be dissolved and the Inhabitants admitted to make Choice of another Vestry And that A new Church which they are about to build may not be built in the Place where they intend to build the same it being remote from the Greater Number of the said Inhabitants was referd from the Governor and Council to this house and Was read.

Ordered.

That the said petition be referd to the Consideration of the next Session of Assembly.

Resolved.

That it is the opinion of this house that in the mean time the present Vestry of the said Parish ought not to proceed in the building a new Church in the said Parish but may repair the Old Church.

A Petition of *Henry Scarburgh* and *Edmund Scarburgh* in behalf of themselves and the Inhabitants of the Parish of *Accomack* complaining of the unjust and Arbitrary Proceedings of the present Vestry of the said Parish and that they refuse to repair the Mother Church with intent to induce A necessity of building a new Church and praying that the said Vestry may be dissolved was referd from the Governor and Council and was read.

Resolved.

That the said petition be rejected. A Complaint from sundry Inhabitants of the said Parish against the said Vestry being already referd by this house to the Consideration of the next Session of Assembly.

Resolved.

That it is the Opinion of this house that the Vestry of the said parish Ought to make all necessary repairs to the Mother Church.

The

The house proceeded to the Consideration of the Amendments made by the Council to the bill intituled *an Act to repeal the Act intituled an Act directing the manner of Levying Executions and for relief of poor Prisoners for debt and one other Act to Explain the said Act and to declare the Law concerning Executions and for relief of poor Prisoners for debt*, and the same were Severally read

And the first Second third fourth and fifth Amendments were agreed to and the Sixth Amendment was Agreed to with several Amendments and the Last Amendment was disagreed to. But the house agreed to strike out the Clause to which the said Amendment was made

Ordered

That a Message be sent to the Council to acquaint them that this house hath Agreed to One of the said amendments with several Amendments and hath agreed to all the other Amendments Except the Last to which they disagreed But do agree to strike out the Clause to which that Amendment is proposed. And that the Committee of propositions do go up with the Message

A Message was brought from th[e] Council that they had Agreed to the Address to his Majesty and had filled up the blank left for them and that the same was signed by one of their Number

Which Address is as follows

To the Kings most Excellent Majesty

The humble Address of the Council and Burgeesses of Virginia.

Most Gracious Sovereign

After so much rejoicing among those of your Majesties Subjects whose happiness it is to be near your Roial Presence for your signal deliverance from the Great perils to which you have lately been Exposed in your Return to your Kingdom of *Great Britain* Your Majesties most dutiful and Loial Subjects The Council and Burgeesses of your Majesties Colony and Dominion of *Virga*. who are Equally interested in your Majesties Safety cannot be silent But do unfeignedly congratulate your Majesties safe Arrival and Assure your Majesty that your wonderful Escape from the Dangers of the Deep was A matter of the greatest Joy imaginable throughout this Dominion.

And being now convened by your Majesties Authority in A General Assembly We presume to acquaint Your Majesty That taking notice of the present distressed State of the College of *William and Mary*. founded in this Country by your Majesties Roial Predecessors King *William* and Queen *Mary* of Glorious memory And of many Accidents and Misfortunes Which have concurred to delay the progress thereof And knowing of how great moment the promoting this Charitable and pious design is to us and Our posterity We have agreed to Lay a Duty on Liquors imported (Except from *great Britain*) and to appropriate two hundred pounds ꝑ annum towards the Support of this College And we are Emboldened from your Majesties Readiness upon all Occasions to Succour the foundations of Learning and Religion to hope that What we have done will not only be acceptable to your Majesty But that after the Example of their Late Majesties King *William* Queen *Mary* and Queen *Anne* of blessed memory you will be graciously pleased of your Roial bounty to Contribute your further Assistance towards perfecting this Good Work

It is not without Great Sorrow that we must further acquaint Your Majesty That your Lieut Governor *Hugh Drysdale*. Esquire by reason of an Indisposition which he hath long labored under hath determin'd unless he can be speedily relieved here to repair to *Great Britain* for recovery of his health and We beg leave humbly to Assure your Majesty That by his remarkable Affection to your Majesties person and your illustrious house his Great Zeal for your Service and his just and Mild Administration without any views of self interest he hath merited so much of us That we shall Esteem his speedy return to his Station a great happiness to your people here.

Ordered

That the said Address be signed by the Speaker of this house

A Message was brought from the Council that they have made some Amendments to the bill intituled *an Act for Erecting A Court house in Spotylvania County* to which they desire the Concurrence of this house

And the said Amendments were severally read and agreed to

Ordered

That a Message be sent to the Council to Acquaint them that this house hath agreed to the said Amendments by them made to the said bill.

The ingrossed bill from the Council intituled *an Act for Amending the Act concerning Servants and Slaves and for the further preventing the Clandestine Transportation of persons out of this Colony* was read the second time and Ordered to be read a third time.

Ordered.

That the Sum of Seventy pounds out of the public money in the hands of *John Holloway Esq^r* be paid to *Mr John Randolph* Clerk of the house of Burgeses for twenty Eight Copies of the Laws of this Session of Assembly to be sent by him to the respective Counties of this Colony

Then the house adjorn'd till tomorrow morning Eleven A Clock

ffryday June 3^d 1726

ORDERED

That *Mr Aylet* have leave to go home upon Extraordinary Occasions

Ordered.

That the Sum of twenty two pounds ten Shillings be paid out of the public money in the hands of *John Holloway Esq^r* Treasurer to *Mr John Randolph* Clerk of the house of Burgeses for four Copies of the Laws and four Copies of the Journall of this Session of Assembly to be by him made out to the Governor And one Copy of the Laws of this Session to be made out for the use of the General Court

Ordered.

That the Committee of Claims do carry up all the Orders of this house made during this Session of Assembly for issuing money out of the Treasury to the Council and desire their Concurrence thereto

A Petition of *Henry Irwin* setting forth that he had at very great Expence made A Good Causeway over *Sawyers Swamp* in the County of *Elizabeth City* and cleared a Road through the same forty foot wide which he undertook at the request of Sundry persons who subscribed divers sums of money towards Defraying the Expence thereof but many of the Subscribers being dead insolvent and removed out of the Country the Petitioner hath disbursed upon that Work more than he has received Eighty Pounds And praying that he may have the liberty to set up a Turnpike upon the said Road and take such rates of Travellers as shall be thought reasonable until he shall be fully rein[m]bursed all his Expences upon the said Work Which is of Universal benefit to the people of this Colony or that he may be otherwise relieved as this General Assembly shall think fit was refer'd from the Governor and Council and was read

Resolved.

That the said petition be rejected

An ingrossed bill from the Council intituled *an Act for amending the Act concerning Servants and Slaves and for the further preventing the clandestine transportation of persons out of this Colony* was read the third time.

Resolved.

That the bill do pass

Ordered.

That A message be sent to the Council to acquaint them that this house hath passed the said bill and that the Committee of Propositions and Grievances do go up with the message

A message was brought from the Council that they have agreed to the Amendments proposed by this house to one of the amendments by them made to the bill intituled *an Act to repeal the Act intituled an Act directing the manner of Levying Executions and for relief of Poor prisoners for debt and one Other Act to Explain the said act and to declare the Law concerning Executions and for relief of poor prisoners for debt and that they recede from their amendment to which this house hath disagreed and agree to strike out the Clause to which that Amendment was made.*

Ordered

That A Committee be appointed to proportion the public Levy of the following persons

Mr. Lee

Mr. Robt Bolling

Mr. Randolph

Mr. John Thornton &

Mr. Kemp

Ordered.

That the said Committee do prepare and bring in a bill for raising a public Levy. Then the house adjourned till to morrow morning Eleven a Clock

Saturday June 4th 1726

ORDERED.

That Mr. Lee have leave to go home upon Extraordinary Occasions

Mr. Conway acquainted the house that he had had an Opportunity of being informed of the proceedings upon an Appeal to his Majesty from a Judgment of the General Court of Virg^a in an Action lately depending there between the Executors of *Micajah Perry* and *Richard Perry* late of London Merchants deced P^{rs} and the Ex^{ors} of Col^o *W^m Randolph* late of this Colony deced Defendants which were likewise well known to most of the Members of this house And that it appeared to him that that Judgment and the verdict of a Jury which had passed between the Parties with all the Solemnities of the Law had been set aside upon the Report of some Merchants who were not under the obligation of an Oath to do justice and that A Judgment was Entered up here in Obedience to an Order made upon that Report without any new trial by a Jury Whereby he was Apprehensive that the Rights and Properties of all the people here were Affected to A Great degree and therefore moved that an humble Representation of the matter be made from this house to his Majesty To the End some Redress may be had and the Evil Consequences of such A precedent prevented and thereupon

Resolved.

Nemine Contradicente.

That an humble Representation of the true state of the said Case be made to his Majesty according to the said Motion

Ordered.

That Mr. Conway Mr. Blair Mr. Escribidge Mr. Boujsh and Mr. Kemp do draw up A Representation to his Majesty accordingly

A Message was brought from the Council that they have passed the bill intituled *an Act to make the Secretary of the Colony of Virginia for the time being a Person capable in Law to take and hold certain Lands therein mentioned and to make Leases thereof.*

And Also the bill intituled *an Act to Confirm the title of Richard Randolph to certain intailed Lands and to Settle other Lands of greater Value and two Negro slaves to the same uses.*

And that they had Agreed and obtained the Governors Assent to the book of Claims and All the orders of this house for the payment of money out of the public money in the hands of the Treasurer which had been sent up to them

Then the house adjourned till Monday morning Eleven A Clock

Monday

Monday June the 6th 1726

M^R Conway reported that the persons appointed had according to Order drawn up a Representation to his Majesty concerning the proceedings upon an Appeal from A Judgment of the General Court given in an Action there lately depending between the Executors of *Micajah* and *Richard Perry* Merchants of *London* P^{rs} and the Ex'ors of Col^o *Will^m Randolph* deced Defendants which he read in his place and afterwards delivered the same in at the table where it was again twice read and Agreed to

Ordered.

That the Committee who drew up the said Representation do carry the same up to the Council and desire their Concurrence therein.

M^r *Randolph* reported that the persons appointed had according to Order proportioned the public Levy which amounts to Eleven pound of Tobacco & poll and that they had entered the several Proportions in A book as has been usual and he delivered the same in at the table where it was read and Agreed to.

A Bill for raising A public Levy was read the first time and Ordered to be read A Second time.

And the same was read a Second time and Ordered to be ingrossed

An ingrossed bill intituled *an Act for raising A public Levy* was read the third time

Resolved.

That the bill do pass.

Ordered.

That the Committee who prepared the said bill do carry the same with the book of Proportions to the Council for their Concurrence

The house being informed that M^r *Comissary Blair* intends shortly to repair to *Great Britain*

Ordered.

That M^r *Conway* M^r *Merriwether* and M^r *John Bolling* do Acquaint him that this house is desirous that he should Solicit that part of the Addrefs of the Council and this house to his Majesty which doth relate to the College of *William and Mary*.

Then the house adjourned till to morrow Morning Eleven A Clock

Tuesday June 7th 1726

A MESSAGE was delivered from the Council that they had Agreed and obtained the Governors Assent to the book of Proportions

That they had passed the bill intituled *an Act for raising a public Levy*.

And that they had Concurred in the representation to the Kings Majesty sent up by this house which was signed in their behalf by one of their Number Which Representation is as followeth.

To the Kings most Excellent Majesty

The humble Representation of the Council and Burgeffes Of Virginia.

Most Gracious Soverain.

Your Majesties most dutiful and Loial Subjects the Council and Burgeffes of this your Majesties antient Colony and Dominion of *Virginia* with all humility Presume to inform Your Majesty that some years ago an Action upon the Case was commenced in the General Court of this Colony in the names of *Sarah Perry* Widow Executrix of the Last Will and testam^t of *Richard Perry* Merchant deceased and of *Sarah Perry Micajah Perry* and *Philip Perry* Merchants of *London* Executors of *Micajah Perry* Merchant deceased against *Mary Randolph* widow *William Randolph* and *Thomas Randolph* Gentlemen Executors of the Last Will and Testament of *William Randolph* Gent deceased. Wherein the said Plaintiffs declare that the said *William Randolph* in his life time

being

being indebted unto the said *Richard Perry* and *Micajah Perry* in their life times the Sum of two thousand and four hundred Sixty five pounds One Shilling and Eight pence upon the ballance of an Account in Court produced in Consideration thereof Assumed to pay the same to which the Defendants *Mary* and *Thomas* appeared and pleaded severally with the leave of the Court that their Testator *William Randolph* did not Assume and that they had fully administred And the Defendant *William* pleaded that he was never Executor nor Ever Administred as Executor and the Court being informed that in the Accounts Exhibited by the Plaintiffs divers great Sums were Charged for insurance and for Interest and Interest upon interest on money which from time to time had become due from the said *William Randolph* in A Long intercourse of Trade and Dealings between him and the Pl^{ts} Testators it was ordered by the Consent of the Plaintiffs and Defendants and conformable to the practice of the Court in like Cafes that all the Accounts between the said Parties should be referd to the Examination of certain Persons nominated to the Court who were Ordered to report how much they should find charged in the said Accounts for Insurance and for Interest and interest upon interest in order to make the matters in dispute more clear and Perspicuous to the Jury who were to pass upon the trial of the Issue's and accordingly the persons to whom the Reference was made did report that upon Examination of all the Accounts in difference which began before the year 1687 it appeared to them that setting aSide the several Sums charged for interest and interest upon interest the Plaintiffs had not only been satisfied of their Whole demand but that there was A ballance due to the Def^{ts} after which report the Council for the Plaintiffs moving to bring on a trial of the issue joined upon the Plea of the Defendant *Mary* That her Testator did not Assume A trial was had accordingly by twelve good and Lawful men of this Colony who being Sworn and having heard all the Evidence that was offerd of Either side and the Arguments of the Council of both Parties found a verdict for the Defendant *Mary* and nothing being offered on the part of the Plaintiffs to stay the Judgment of the Court nor any motion made for a new trial a Judgment was Entered up that the Plaintiffs should take nothing by their bill from which they appealed to your Majesty; And your Majesty having been pleased to refer their Petition of Appeal to the Right honorable the Lords of the Committee for hearing Appeals from the Plantations Their Lordships upon hearing the parties therein Concerned were pleased to refer the Accounts in Question to the Examination of four Merchants residing in *London* two of Whom reported their Opinion that the Several Items of Interest and insurance appeared to them throughout the Whole Accounts to be fair and just and Agreeable to what is alwaies charged and Allowed in Accounts of this nature by the Constant usage of Merchants trading to the Plantations and one other of the said Referees concurring with them their Lordships upon another hearing were pleased to report their Opinion that the Judgment given in the said General Court was Erronious and that the same Should be reversed and Judgment Entered up for the Appellants in the Sum of Two thousand four hundred Sixty pounds damages and that the said Sum should be recovered out of the Affets of the said *William Randolph* deceased and ten pounds Sterling Costs out of the said Affets if the Respondents have Goods of the Testator to that Value and if they have not the Costs to be recovered out of the proper Goods of the Respondents And their Excellencies the Lords Justices in Council the twentieth Day of *July* 1725 taking the said report into Consideration were pleased to approve thereof and to Order that Judgment should be Entered up accordingly in humble Obedience to Which the Judges of the said Court have Caused the said Judgment to be Entered up against the said *Mary Randolph William Randolph* and *Thomas Randolph* Now may it please your Majesty. We the Council and Burgeesses of the said Colony taking into Our Consideration the Several Circumstances of this Cafe and reflecting on the Consequences which A Precedent of this nature may have on the trade and properties of your Majesties good Subjects of this Colony do most humbly beg Leave to represent to your Majesty that no such Custom or Usage hath Ever hitherto prevailed or been allowed among the

Merchants

Merchants trading to this Colony whereby Interest or Interest upon Interest hath been or can be recovered upon Open running Accounts but that in actions at the Common Law no Plaintiff hath any other Allowance of Interest but such as a Jury shall think fit to Assess in Damages who by the Laws and Customs of *England* (to which Our proceedings here do as near as can be conform) are the only proper Judges thereof and after a Jury duly Elected tried and Sworn hath found the Verdict against the Plaintiff upon the point of Damages we humbly apprehend such Plaintiff is concluded by it and can have no Judgment to recover without A new trial and Verdict for him Moreover. We humbly beg leave to inform Your Majesty that the Judgment of your General Court here in the Case above represented being by your Majesties Authority reversed and in Consequence thereof the verdict of the said Jury set aside the matter of the Plea upon which that trial was had remains undetermined and there being several other Pleas upon which Issues were tendered in that Suit and not tried it doth appear by the Record in the ^d Action that A Judgment is Entered against the Defendants without any trial Permit us further humbly to represent to your Majesty that altho in the Case aforesaid three Merchants in London have delivered their Opinion that the Demand of the Plaintiffs was just and reasonable yet no such Method of Examining the Judgments of your General Court given according to the rules of the Common Law hath ever hitherto been allowed or Established— But your Majesties Subjects in this Colony have alwaies without interruption had and Enjoied the benefits of A Legal Trial by Juries in all Actions commenced or prosecuted by and against them at the Common Law And We do with all humility represent to your Majesty that if in the like cases coming before your Majesty in your Privy Council by Appeal the Reports of Merchants who are under no Obligation of an Oath and are Ever inclined to favor one another be admitted to Overrule the Verdicts of Legal Juries Your Majesties Subjects here will be liable to whatever Charges and impositions their Factors and Correspondents in *Great Britain* think fit to load them with to the Great discouragement of their Trade and Industry

Wherefore We most Earnestly beseech your Majesty to Establish for the future such a Regular Course for Examining and reforming the Judgments given in Your Supreme Courts here that your Subjects of this Dominion may still Enjoy the benefit of Trial according to the Laws and Customs of *England* under which this Colony was happily planted and which they Account one of their most valuable Privileges All which is most humbly and unanimously submitted by us to your most sacred Majesty

Robert Carter.

Ordered.

That the said Representation be signed by the Speaker in behalf of this house

A motion was made that an Address might be made to the Gov^t to desire him to transmit the Address of the Council and this house and the said Representation to the King

And A Writing drawn up in the form of an Address was presented with the Leave of the house & being twice read was agreed to.—

Ordered.

That the said Address be written over fair and sent up to the Council for their Concurrence and that the Committee of Propositions and Grievances do carry the same up

And the said Address was sent down by the Council to the house which is as followeth

To the Honorable Hugh Drysdale Esq^r his Majesties Lieut. Governor and Commander in Chief of the Colony and Dominion of Virginia

SIR.

The Council and Burgeesses having dispatcht all the important matters which have been under their Consideration during this Session of Assembly Do now present to your

your Honor for your Assent several bills which are the result of their Consultations and hope they are not only consistent with your instructions but well adapted to the present necessities of this Colony

We have also prepared an humble Address to the Kings Majesty together with A Representation concerning the proceedings upon an Appeal from A Judgment of the General Court given in an Action there lately depending between the Exors of *Micajah* and *Richard Perry* late of *London* Merchants deceased Plaintiffs and the Exors of Col^d *William Randolph* deceased Defendants which we have been induced to make in regard We are apprehensive that there are several matters appearing upon the Record of that Case which may Produce many Consequences Extremely detrimental to the Rights and Properties of the people of this Colony And we do humbly desire your Honor to transmit this Address and Representation to his Majesty in the usual manner

And We do return your Honor our unfeigned thanks for your Concurrence in Every thing that hath been thought useful and beneficial to the people we Represent And do sincerely pray for the speedy recovery of your Health and that you may have all the Success you desire in your undertakings

Ordered.

That the said Address be presented by the Whole house When they attend the Governor with the bills which have passed this Session

A Message from the Governor by M^r *Robertson* Clerk of the Council.

M^r *Speaker.*

The Governor Commands the immediate attendance of this House in the Council Chamber and that you bring with you such bills as are ready for his Assent

And the house went up accordingly and the Governor was pleased to Give his Assent to the several public and private Bills following

An Act for Laying a Duty on Liquors

An Act Appointing a Treasurer

An Act to repeal the Act intituled an Act directing the manner of levying Executions and for relief of Poor Prisoners for Debt and one other Act to Explain the said Act and to declare the Law Concerning Executions and for relief of poor prisoners for Debt.

An Act for Amending the Act concerning Servants and Slaves and for the further preventing the Clandestine Transportation of persons out of this Colony

An Act for reviving and Continuing two acts of Assembly therein mentioned

An Act for the more Effectual preventing the bringing Tobacco from North Carolina and the bounds in Controversy

An Act to prevent the setting of Hedges into Rivers and Creeks and the falling of Trees therein

An Act for settling New ferries over Rappahanock Northanna and Appamatuck Rivers

An Act for raising A public Levy

An Act to make the Secretary of the Colony of Virg^a for the time being A person Capable in Law to take and hold certain Lands therein mentioned and to make leases thereof

An Act for Erecting A Courthouse in Spotylvania County

An Act for dividing the parish of S^t Paul in Hanover County

An Act to prevent Swine running at Large within the Limits of the Town of Gloucester

An Act to Confirm the title of Richard Randolph to certain intailed Lands and to Settle other Lands of greater Value and two Negro slaves to the same uses

And then the Speaker read and presented the Address and Representation to his Majesty

To which the Governor was pleased to Answer that he should take the first Opportunity to transmit the same to be presented to his Majesty

And afterwards made the following Speech

Gentlemen of the Council and house of Burgeses.

The Dispatch you have given to all the business brought before you this Session of Assembly has been very agreeable to me but the singular readiness and unanimity
you

you Expressed to the motion I made concerning the College deserves a Return of my best thanks and acknowledgements which I now tender to you all on this Public Occasion You Could not hit on an Action that will better perpetuate your memories and for your present Satisfaction you'll have the applauses of all Countries that Honor religion or Learning.

The Season of the year and your own dispositions to return to your Respective homes makes it highly necessary to put an End to this Session of Assembly accordingly I prorogue you to *Thursday* the Seventeenth Day of *November* and this Session stands prorogued to that time.

Hugh Drysdale.

427-428

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